The Müfti of Istanbul

A Study in the Development of the Ottoman Learned Hierarchy

by

R. C. Repp

University Lecturer in Turkish History
in the University of Oxford
and Fellow of Linacre College

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List of Abbreviations

The following are works cited frequently or in widely separated contexts. The publishing details of books and articles consulted on specific topics are given at the relevant places in the text.

Abdülbakî	Abdülbakî [Gölpınarlı], *Melâmîlik ve Melâmîler*, Istanbul, 1931.
Adnan-Adıvar	Abdülhak Adnan-Adıvar, *Osmanlı Türklerinde ilim*, Istanbul, 1943.
Akdağ, *Tarih*	Mustafa Akdağ, *Türkiye'nin iktisadî ve içtimaî tarihi*, vols. i–ii, Ankara, 1959, 1971.
Âli	'Ālī (d. 1008/1599–1600), *Kunh al-akhbār*, 5 vols., Istanbul, 1277–85, and various MSS: see further, Chapter I, n. 15.
Altunsu	Abdülkadir Altunsu, *Osmanlı Şeyhülislâmları*, Ankara, 1972.
Anonymous	*Die altosmanischen anonymen Chroniken*, ed. F. Giese, i (text and variants), Breslau, 1922.
Apz/Âli Bey	'Āshiḳ Pasha-zāde (Âşıkpaşazade: d. *c.* 1500?) *Tevārīkh-i Āl-i 'Othmāndan 'Āshiḳpashazāde ta'rīkhi*, ed. 'Ālī Bey, Istanbul, 1332.
Apz/Giese	Idem, *Die altosmanische Chronik des 'Āšiḳpašazāde*, ed. F. Giese, Leipzig, 1929.
Âşık Çelebi	'Āshiḳ Çelebi (d. 979/1572), *Meşā'ir üş-şu'arā or Teẕkere of 'Āşiḳ Çelebi*, ed. (with facsimile text) by G. M. Meredith-Owens, London, 1971.
Atâ Bey	Ṭayyār-zāde 'Aṭā' Allāh Aḥmad, known as 'Aṭā' Bey (Atâ Bey: d. 1294/1877 or 1297/1880), *Ta'rīkh-i 'Aṭā'*, 5 vols., Istanbul, 1291–3.
Atâ'î	'Aṭā' Allāh b. Yaḥyā b. Pīr 'Alī b. Naṣūḥ, known as New'ī-zāde 'Aṭā'ī (Atâ'î: d. 1045/1635), *Ḥadā'iḳ al-ḥaḳā'iḳ fī takmilat al-Shaḳā'iḳ*, Istanbul, 1268.
Atsız, *Takvimler*	Ç. N. Atsız, *Osmanlı tarihine ait takvimler*, i, Istanbul, 1961.
Ayn-i Ali	'Ayn-i 'Alī, *Risāle-i vaẓīfekhorān-i merātib-i bendegān-i Āl-i 'Othmān* in *Ḳavānīn-i Āl-i 'Othmān*, Istanbul, 1280, pp. 82 et sqq.: see further Appendix I, *A*.
Ayn-i Ali/Paris	Ibid., Bibliothèque Nationale, Paris, MS. Ancien fonds turc 128, ff. 41b et sqq.

Ayvansarayı, *Hadikat*	Ḥusayn Ayvānsarāyı, *Ḥadīḳat al-jawāmi'*, 2 vols., Istanbul, 1281.
Babinger, *GOW*	Franz Babinger, *Die Geschichtsschreiber der Osmanen und ihre Werke*, Leiden, 1927.
Babinger, *Mahomet II*	Idem, *Mahomet II le Conquérant et son temps, 1432–1481*, trans. H. E. del Medico, Paris, 1954.
Baldırzade	Shaykh Muḥammad b. Muṣṭafā b. 'Alī Dede, known as Bāldir-zāde (Baldırzade: d. 1060/1650), *Vefayātnāme*, or *Ravḍa-i evliyā*, Süleymaniye Libr., Istanbul, MS. Hacı Mahmud Efendi 4613.
Baltacı, *O. Med.*	Câhid Baltacı, *XV–XVI. asırlar Osmanlı medreseleri*, Istanbul, 1976.
Barkan/Ayverdi	Ömer Lutfî Barkan and Ekrem Hakkı Ayverdi (eds.), *İstanbul vakıfları tahrîr defteri, 953 (1546) târîhli*, Istanbul, 1970.
Barkan, 'Edirne'	Ömer Barkan, 'Edirne ve civarındaki bazı imâret tesislerinin yıllık muhasebe bilânçoları', *Belgeler*, i (1964), 235–377.
Barkan, *Kanunlar*	Idem, *XV ve XVIıncı asırlarda Osmanlı imparatorluğunda zirai ekonominin hukukî ve malî esasları*, i, *Kanunlar*, Istanbul, 1943.
Barkan, 'Saraylar'	Idem, 'İstanbul saraylarına ait muhasebe defterleri', *Belgeler*, ix/13 (1979), 1–380.
Belgeler	*Belgeler (Türk Tarihi Belgeleri Dergisi)*, Ankara, i (1964)—.
Belleten	Türk Tarih Kurumu, *Belleten*, Ankara, i (1937)—.
Bilmen	Ömer Nasuhî Bilmen, *'Hukukı İslâmiyye ve ıstılahatı fıkhiyye' kamusu*, i, 2nd edn., Istanbul, 1955.
Brockelmann, *GAL* and Suppl.	C. Brockelmann, *Geschichte der arabischen Literatur*, 2nd edn., 2 vols., Leiden, 1943–9; Supplement, 3 vols., Leiden, 1937–42.
de la Broquière	*Le voyage d'outremer de Bertrandon de la Broquière*, ed. Charles Schefer, *Recueil de voyages et de documents*, xii, Paris, 1892.
BSOAS	*Bulletin of the School of Oriental and African Studies, University of London*, i (1917)—.
Cantacasin	Théodore Spandouyn Cantacasin, *Petit Traicté de l'origine des Turcqz*, ed. Charles Schefer, Paris, 1896 (reprinted Ankara, 1971).
Celâlzade, *Selimname*	Jalāl-zāde Muṣṭafā Çelebi (Celâlzade Mustafa: d. 975/1567), *Ma'āthir-i Selīm Khānī*, or *Selīmnāme*. The

	first part of the work has been edited and translated by Celia J. Kerslake, *A critical edition and translation of the introductory sections and the first thirteen chapters of the 'Selīmnāme' of Celālzāde Muṣṭafā Çelebi*, unpublished D.Phil. thesis, Oxford, 1975; for the later part, Topkapı Sarayı Libr., Istanbul, MS. Hazine 1415 has been consulted.
Celâlzade, *Tabakat*	Idem, *Ṭabaḳāt al-mamālik wa darajāt al-masālik*, ed. (with facsimile text) by Petra Kappert as *Geschichte Sultan Süleymān Ḳānūnīs von 1520 bis 1557*, Wiesbaden, 1981.
Çevirme kılavuzu	Faik Reşit Unat, *Hicrî tarihleri milâdî tarihe çevirme kılavuzu*, 3rd edn., Ankara, 1959.
Danişmend	İsmail Hami Danişmend, *İzahlı Osmanlı tarihi kronolojisi*, 4 vols., Istanbul, 1947–55.
Dilger	Konrad Dilger, *Untersuchungen zur Geschichte des osmanischen Hofzeremoniells*, Munich, 1967.
Düzdağ	M. Ertuğrul Düzdağ, *Şeyhülislâm Ebussuûd Efendi fetvaları ışığında 16. asır Türk hayatı*, Istanbul, 1972.
Edirne	*Edirne: Edirne'nin 600. fetih yıldönümü armağan kitabı*, Türk Tarih Kurumu, Ankara, 1965.
EI[1]	*The Encyclopaedia of Islam*, 4 vols. and supplement, Leiden–London, 1913–38.
EI[2]	*The Encyclopaedia of Islam (new edition)*, Leiden–London, 1954—.
Erk	Hasan Basri Erk, *Meşhur Türk hukukcuları*, Adana, 1961.
Ertan	Veli Ertan, *Tarihte Meşihat makamı, ilmiye sınıfı ve meşhur Şeyhülislâmlar*, Istanbul, 1969.
Evliyâ Çelebi	Evliyā Çelebi (d. *c.* 1095/1684), *Seyāḥatnāme*, 10 vols., Istanbul, 1896–1938.
Fatih vakfiyeleri	Vakıflar Umum Müdürlüğü, *Fatih Mehmed II vakfiyeleri*, Istanbul, 1938 (references are to the facsimile plates).
al-Fawā'id	Muḥammad 'Abd al-Ḥayy al-Laknawī (d. 1304/1886–7), *al-Fawā'id al-bahiyya fī tarājim al-Ḥanafiyya*, Cairo, 1324.
Feridun	Aḥmad Ferīdūn (Feridun: d. 991/1583), *Munsha'āt al-salāṭīn*, 2nd edn., 2 vols., Istanbul, 1274–5.
Gibb, *Ottoman Poetry*	E. J. W. Gibb, *A History of Ottoman Poetry*, 6 vols., London, 1900–9.

Gibb/Bowen	H. A. R. Gibb and Harold Bowen, *Islamic Society and the West*, i, *Islamic Society in the Eighteenth Century*, parts 1–2, London, 1950, 1957.
Gökbilgin, *EPL*	M. Tayyib Gökbilgin, *XV–XVI. asırlarda Edirne ve Paşa livâsı: vakıflar—mülkler—mukataalar*, Istanbul, 1952.
Gökbilgin, 'Tarihler'	Idem, 'Edirne hakkında yazılmış tarihler ve *Enîs-ül Müsâmirîn*' in *Edirne*, 77–117.
HA	Bağdatlı İsmail Paşa, *Hadiyyat al-'ārifīn, asmā' al-mu'allifīn wa āthār al-muṣannifīn*, ed. Kilisli Rifat Bilge and İbnülemin Mahmud Kemal İnal, 2 vols., Istanbul, 1951, 1955.
Hammer, *Histoire*	Joseph von Hammer, *Geschichte des osmanischen Reiches*, trans. J. J. Hellert, *Histoire de l'empire Ottoman*, 18 vols., Paris, 1835–43.
Heyd, *Criminal Law*	Uriel Heyd (ed. V. L. Ménage), *Studies in Old Ottoman Criminal Law*, Oxford, 1973.
Heyd, 'Fetva'	Idem, 'Some aspects of the Ottoman fetvā', *BSOAS*, xxxii (1969), 35–56.
Hezârfen	Ḥusayn Hezārfenn (Hüseyin Hezârfen: d. 1103/1691–2), *Talkhīṣ al-bayān fī ḳawānīn-i Āl-i 'Othmān*, Bibliothèque Nationale, Paris, MS. Ancien fonds turc 40: see further Chapter II, n. 15.
Hezârfen/Anhegger	Robert Anhegger, 'Hezarfen Hüseyin Efendi'nin Osmanlı devlet teşkilâtına dair mülâhazaları', *TM*, x (1951–3), 365–93: see further Chapter II, n. 15.
Hibrî	'Abd al-Raḥmān b. Ḥasan, known as Ḥibrī (Hibrî: d. 1087/1676), *Anīs al-musāmirīn*, Millet (Süleymaniye) Libr., Istanbul, MS. Reşid Efendi 616.
Historians	Bernard Lewis and P. M. Holt (eds.), *Historians of the Middle East*, London, 1962 (reprinted 1964).
Horster	P. Horster, *Zur Anwendung des islamischen Rechts im 16. Jahrhundert*, Stuttgart, 1935.
Hüsameddin, *Amasya*	Ḥusayn Ḥusāmeddīn (Hüseyin Hüsameddin), *Amasya ta'rīkhi*, 4 vols., Istanbul, 1912–35.
Hüsameddin, 'Molla Fenârî'	Idem, 'Monlā Fenārī', *TTEM*, year 16 (1926), no. 18/95, 368–83 (designated 'a') and year 17 (1928), no. 19/96, 148–58 (designated 'b').
İA	*İslâm Ansiklopedisi*, Istanbul, 1940—.
Ibn Ḥajar, *al-Durar*	Ibn Ḥajar al-'Asḳalānī (d. 852/1449), *al-Durar al-kāmina fī a'yān al-mi'a al-thāmina*, 4 vols., Hyderabad, 1348–50.

Ibn Ḥajar, *Inbā'*	Idem, *Inbā' al-ghumr fī abnā' al-'umr*, various editions and MSS: see further Chapter III, n. 5.
Ibn Taghrībirdī, *al-Manhal*	Abu 'l-Maḥāsin Jamāl al-Dīn Yūsuf b. Taghrībirdī (d. 874/1470), *al-Manhal al-ṣāfī wa 'l-mustawfī ba'd al-wāfī*, Cairo, MS. 1113.
Ibn Taghrībirdī, *al-Nujūm*	Idem, *al-Nujūm al-zāhira fī mulūk Miṣr wa 'l-Ḳāhira*, published as *Abu 'l-Maḥâsin ibn Taghrî Birdî's Annals*, ed. W. Popper, ii, iii part 1, v, vi, vii, University of California Publications in Semitic Philology, Berkeley, 1909–29.
İdris	Idrīs Bidlīsī (İdris Bitlisî: d. 926/1520), *Hasht Bihisht*, Bodleian MS. Ouseley 358.
IJMES	*International Journal of Middle East Studies*, Cambridge, i (1970)—.
İnalcık, *Empire*	Halil İnalcık, *The Ottoman Empire, the Classical Age 1300–1600*, London, 1973.
İnalcık, *Fatih devri*	Idem, *Fatih devri üzerinde tetkikler ve vesikalar*, Ankara, 1954.
İnalcık, 'Historiography'	Idem, 'The Rise of Ottoman Historiography' in *Historians*, 152–67.
İS	*'Ilmiyye sālnāmesi* (*İlmiye salnamesi*), Istanbul, 1334.
İsmail Beliğ	Sayyid Ismā'īl Belīgh b. Ibrāhīm al-Bursawī, (İsmail Beliğ: d. 1142/1729), *Güldeste-i riyāḍ-i 'irfān ve vefiyāt-i danishverān-i nādiredān*, Bursa, 1302.
Kanunname	The *Ḳānūnnāme-i Āl-i 'Othmān* attributed to Mehmed II, *TOEM*, supplement to parts 13–15, Istanbul, 1330.
Kanunname/Hüseyin	Op. cit., in Ḥusayn, *Badā'i' al-waḳā'i'*, facsimile, ed. A. S. Tveritinova, ii, Moscow, 1961, ff. 277b–283b.
Katā'ib	Maḥmūd b. Sulaymān al-Kafawī (el-Kefevî: d. 990/1582), *Katā'ib a'lām al-akhyār min fuḳahā' madhhab al-Nu'mān al-mukhtār*, in various MSS: see further Chapter I, n. 17.
Kâtib Çelebi, *KZ*	Kātib Çelebi (d. 1067/1657), *Kashf al-ẓunūn*, ed. Şerefettin Yaltkaya and Kilisli Rifat Bilge, 2 vols., Istanbul, 1941, 1943.
Kâtib Çelebi, *Sullam*	Idem, *Sullam al-wuṣūl ilā ṭabaḳāt al-fuḥūl*, Süleymaniye Libr., Istanbul, MS. Şehit Ali Paşa 1887.
Kâtib Çelebi, *Takvim*	Idem, *Taḳwīm al-tawārīkh*, Istanbul, 1146.
el-Kefevî	See *Katā'ib*.
Koçu Bey (1) Koçu Bey (2)	Respectively, the *risāla* (*risale*) written by Koçu Bey and presented to Sultan Murad IV; and that attributed to

him, presented to Sultan İbrahim: both in Ali Kemalî Aksüt, *Koçi Bey risalesi*, Istanbul, 1939.

KZZ — Bağdatlı İsmail Paşa, *Îḍāḥ al-maknūn fi 'l-dhayl 'alā Kashf al-ẓunūn ... (Keşf el-zunun zeyli)*, ed. Şerefettin Yaltkaya and Kilisli Rifat Bilge, 2 vols., Istanbul, 1945, 1947.

Latîfî — 'Abd al-Laṭîf, known as Laṭîfî (Latîfî: d. 990/1582: work completed 953/1546–7), *Tedhkere-i Laṭîfî*, Istanbul, 1314.

Lûtfi Paşa — Luṭfî b. 'Abd al-Mu'în (Lûtfi Paşa: d. *c.* 970/1563), *Tevārīkh-i Āl-i 'Othmān*, ed. 'Ālî, Istanbul, 1341.

Lybyer — A. H. Lybyer, *The Government of the Ottoman Empire in the time of Suleiman the Magnificent*, Cambridge, Mass., 1913 (reprinted New York, 1966).

al-Maḳrīzī, *Kitāb al-sulūk* — Taḳî al-Dîn Aḥmad b. 'Alî al-Maḳrîzî (d. 845/1442), *Kitāb al-sulūk li-ma'rifa duwal al-mulūk*, parts i–ii/3, ed. Muḥammad Muṣṭafā Ziyāda; parts iii/1–iv/3, ed. Sa'îd 'Abd al-Fattāḥ 'Āshūr, Cairo, 1934–73.

Mank Ali — 'Alî b. Bālî, known as Manḳ 'Alî (Mank Ali: d. 992/1584), *al-'Iḳd al-manẓūm fî dhikr afāḍil al-Rūm*, published in the margin of Ibn Khallikān, *Wafayāt al-a'yān*, 2 vols., Bulak, 1299, ii, 193 et sqq.

Mecdî — Muḥammad Majdî al-Edirnewî (Mecdî: d. 999/1590–1), *Ḥadā'iḳ al-Shaḳā'iḳ* (Turkish trans. of Taş), Istanbul, 1269.

Ménage, 'Historiography' — V. L. Ménage, 'The Beginnings of Ottoman Historiography' in *Historians*, 168–79.

Ménage, *Neshrî* — Idem, *Neshrî's History of the Ottomans*, London, 1964.

MTM — *Millî Tetebbū'ler Mejmū'ası*, i–ii, Istanbul, 1331.

Müneccimbaşı/Nedim — Darwîsh Aḥmad Dede b. Luṭf Allāh, known as Münejjimbashı (Müneccimbaşı: d. 1113/1702), *Ṣaḥā'if al-akhbār fî waḳā'i' al-a'ṣār*, trans. Nedîm, 3 vols., Istanbul, 1285.

Müstakimzade — Mustaḳîm-zāde Sulaymān Sa'd al-Dîn Efendi (Müstakimzade: d. 1202/1787–8), *Devḥa-i meshā'ikh-i kibār*, in MS: see further Chapter I, n. 25.

Neşrî/Ank — *Mehmed Neşrî: Kitâb-ı Cihan-nümâ, Neşrî tarihi*, ed. Faik Reşit Unat and Mehmed A. Köymen, 2 vols., Ankara, 1949, 1957.

Neşrî/*Mz*, Neşrî/*Mn* — *Ğihannüma: die altosmanische Chronik des Mevlānā Meḥemmed Neschrī*, ed. Franz Taeschner (based on the work of Theodor Menzel), 2 vols. (*Mz* = vol. i, *Mn* =

	vol. ii), Leipzig, 1951, 1955: see further Chapter III, n. 80.
d'Ohsson	I. Mouradgea d'Ohsson, *Tableau général de l'Empire othoman*, 7 vols., Paris, 1788–1824.
OM	Bursalı Muḥammad Ṭāhir (Bursalı Mehmed Tahir), *'Othmānlı müellifleri*, 3 vols., Istanbul, 1333–42, with index added in 1346.
Pakalın	Mehmed Zeki Pakalın, *Osmanlı tarih deyimleri ve terimleri sözlüğü*, 3 vols., Istanbul, 1946–56.
Peçevî	Ibrāhīm Peçevī (Peçevî: d. 1059/1649?), *Ta'rīkh*, 2 vols., Istanbul, 1281–3.
Peremeci	Osman Nuri Peremeci, *Edirne tarihi*, Istanbul, 1940.
Râşid	Muḥammad Rāshid (Râşid: d. 1148/1735), *Ta'rīkh*, 5 vols., Istanbul, 1282.
Rifat Efendi	Rif'at Efendi (d. 1293/1876), *Dawḥat al-mashā'ikh*, lithograph, Istanbul, n.d.: see further, Chapter I, nn. 25, 26.
Rycaut	P. Rycaut, *The Present State of the Ottoman Empire*, London, 1668 (reprinted Gregg International Publishers Ltd., 1972).
Sa'deddin	Sa'd al-Dīn (d. 1008/1599), *Tāj al-tawārīkh*, 2 vols., Istanbul, 1279–80.
al-Sakhāwī, *al-Ḍaw' al-lāmi'*	Shams al-Dīn Muḥammad b. 'Abd al-Raḥmān al-Sakhāwī (d. 902/1497), *al-Ḍaw' al-lāmi' li-ahl al-ḳarn al-tāsi'*, 12 vols., Cairo, 1353–5.
Schacht, *Introduction*	J. Schacht, *An Introduction to Islamic Law*, Oxford, 1964.
Sehî	Sehī Bey (Sehî: d. 955/1548; work completed 945/1538), *Tedhkere-i Sehī*, Istanbul, 1325.
Selle	F. Selle, *Prozessrecht des 16. Jahrhunderts im osmanischen Reich*, Wiesbaden, 1962.
SI	*Studia Islamica*, Paris, i (1953)—.
SO	Muḥammad Thüreyyā (Mehmed Süreyya), *Sijill-i 'Othmānī* (*Sicill-i Osmanî*), 4 vols., Istanbul, 1308–15.
Solakzade	Muḥammad Hemdemī Çelebi, known as Ṣōlāḳ-zāde (Solakzade: d. 1068/1657–8), *Ta'rīkh*, Istanbul, 1298.
Tamîmîzade	Taḳī al-Dīn b. 'Abd al-Ḳādir, known as Tamīmī-zāde (Tamîmîzade: d. 1005/1597), *Ṭabaḳāt al-saniyya fī tarājim al-Ḥanafiyya*, Süleymaniye Libr., Istanbul, MS. Süleymaniye 829: see further Chapter V, n. 146.

Taş	'Iṣām al-Dīn Aḥmad b. Muṣṭafā b. Khalīl, known as Tashköprü-zāde (Taşköprüzade: d. 968/1561), *al-Shaḳā'iḳ al-Nu'māniyya fī 'ulamā' al-dawlat al-'Uthmāniyya*, published in the margin of Ibn Khallikān, *Wafayāt al-a'yān*, 2 vols., Bulak, 1299.
Taş MS.	Ibid., MS. dated 8 Rajab 1027/2 July 1618, in the author's possession.
Taş/Rescher	Ibid., German trans., O. Rescher, *eš-Šaqâ'iq en-No'mânijje von Tašköprüzâde*, Istanbul, 1927.
TD	İstanbul Üniversitesi, Edebiyat Fakültesi, *Tarih Dergisi*, i/1 (1949)—.
TM	*Türkiyat Mecmuası*, Istanbul, i (1925)—.
TOEM *TTEM*	*Ta'rīkh-i 'Othmānī Enjümeni Mejmū'ası*, continued as *Türk Ta'rīkh Enjümeni Mejmū'ası*, Istanbul, 1910–31.
Turan, *Takvimler*	Osman Turan (ed.), *İstanbul'un fethinden önce yazılmış tarihî takvimler*, Ankara, 1954.
Tyan, *Histoire*	E. Tyan, *Histoire de l'organisation judiciare en pays d'Islam*, 2nd edn., Leiden, 1960.
Uşakizade	Ibrāhīm Ḥasīb Efendi b. Sayyid 'Abd al-Bāḳī, known as 'Ushāḳī-zāde (Uşakizade: d. 1136/1723–4), *Dhayl-i Shaḳā'iḳ* (strictly, a *zeyl* to Atâ'î), ed. Hans Joachim Kissling as *'Ušâqîzâde's Lebensbeschreibungen berühmter Gelehrter und Gottesmänner des osmanischen Reiches im 17. Jahrhundert*, Wiesbaden, 1965.
Uzunçarşılı, *İT*	İsmail Hakkı Uzunçarşılı, *Osmanlı devletinin ilmiye teşkilâtı*, Ankara, 1965.
Uzunçarşılı, *Merkez*	Idem, *Osmanlı devletinin merkez ve bahriye teşkilâtı*, Ankara, 1948.
Uzunçarşılı, *OT*	Idem, *Osmanlı tarihi*, i–iv/2, Ankara, 1947–59 (i², 1961).
Ünver, *Fatih, külliyesi*	A. Süheyl Ünver, *Fatih, külliyesi ve zamanı ilim hayatı*, Istanbul, 1946.
Ünver, *Notları*	Idem, *İlim ve sanat bakımından Fatih devri notları*, Istanbul, 1948.
Vakıflar Dergisi	Vakıflar Umum Müdürlüğü (subsequently Vakıflar Genel Müdürlüğü), *Vakıflar Dergisi*, Ankara and Istanbul, i (1938)—.
ZDMG	*Zeitschrift der Deutschen Morgenländischen Gesellschaft*, Leipzig, Wiesbaden, i (1847)—.

A Note on Documents

Frequent reference is made to the following three documents from the Topkapı Sarayı (TS) archives:

TS/D5781 Identified in the handlist as a sixteenth-century register describing müderrises and retired ulema, together with their salaries or pensions, D5781 is a list of 72 scholars, some holding office, some in retirement, with the posts and pay (and also laudatory phrases in Persian) given for a good many of them. The best guide to the date is the fact that Molla 'Abd al-Raḥmān b. 'Alī b. al-Mu'ayyad al-Amasī (Müeyyedzade: Taş, i, 430–7; Mecdî, 308–11) is shown to be receiving a pension of 150 akçe. He would be likely to receive such a sum only as a retired kazasker, a situation which obtained from Rajab 917 to Rajab 919 (September 1511–September 1513) and from Sha'bān 920/October 1514 till his death on 15 Sha'bān 922/13 September 1516. The latter date, of course, establishes an absolute *terminus ante quem* for the document. If the 'Molla Shujā' Rūmī' mentioned in the document as being in retirement from the kadılık of Bursa is, on the one hand, the Shujā' al-Dīn Ilyās al-Rūmī (Şücâeddin Rumî) in Taş, i, 475–8 and Mecdî, 330–1, which seems certain, and, on the other hand, the Hırızma Şücâ mentioned in Feridun, i, 467, which seems likely since, among other things, Şücâeddin Rumî is the only contemporary Şücâ mentioned in Taş and Mecdî to have held the kadılık of Bursa, then, since Feridun (i, 467 and 472) shows him to have held the kadılık from 10 Rajab 921/20 August 1515 to no later than 19 Shawwāl 921/26 November 1515 (for the document from which this information is drawn, see below, p. 230), one could fairly assume that the list was made between the latter date and the date of Müeyyedzade's death, that is, between Shawwāl 921 and Sha'bān 922/November 1515–September 1516. There are difficulties with such a dating—for example, Molla Ḍamīrī (Taş, i, 513–14; Mecdî, 347), about whom not a great deal is known, is listed as retired but is said by Taş and Mecdî to have died in 920—and the dating cannot be said to be beyond doubt since it is not absolutely certain that Şücâeddin Rumî and Hırızma Şücâ are one and the same or that Şücâeddin Rumî held the kadılık of Bursa only once, as the sources state: it does appear, however, to be the likeliest dating on present evidence.

TS/D8823 A much lengthier and more detailed register than D5781, D8823 lists, and in most cases gives short biographies of, the kadıs and müderrises, both active and retired, in 'the *eyalets* of eastern and western Anadolu as well as all the *eyalets* of Syria and Egypt' and also includes lists of *mulāzims* (*mülâzıms*) of various types. The dating is fairly certainly fixed by the fact that 'Mevlānā Wāsi'

Efendi' (Abdülvasi Çelebi: Taş, i, 620–3; Mecdî, 394–5; and below, Chapter V, n. 144) and 'Mevlānā Muḥyi 'l-Dīn Efendi' (Fenârîzade Muhyiddin Çelebi: Taş, i, 603–6; Mecdî, 387–9; and below, pp. 263 et sqq.) appear to be the current kazaskers of Rumeli and Anadolu respectively (p. 5), a state of affairs which existed probably only for some months in 929 and into early 930 (1523): see below, pp. 241–2, 258–9, 268–9. A tentative case is made below (p. 247) for dating the document in the middle months of 929 (mid-1523).

I have, unfortunately, no record of the arrangement of the twelve or so leaves which make up this register: the 'page' numbers given reflect the order in which the leaves were photographed and may be entirely irrelevant.

TS/E10597 Described in the handlist as a list of names of müderrises in the time of Süleyman, E10597 in fact comprises two separate documents. The first, on a single leaf, lists 40-, 50- and 60-akçe medreses in Istanbul, Edirne and Bursa and in the *khārij* (*hâriç*: see below, pp. 40–1), with their incumbents. It may be dated with certainty to the years 942–4/1536–7 by the fact that Taşköprüzade himself is listed as müderris of the Kalenderhane medrese in Istanbul, a post he held from 17 Shawwāl 942 to 21 Rabī' II 944/9 April 1536 to 27 September 1537 (Taş, ii, 185–6; Mecdî, 525–6; Atâ'î, 8: Taş has Rabī' I, but Taş MS., Mecdî and Atâ'î all have Rabī' II). Such other facts as are mentioned in the document and can be checked agree with this dating but do not allow further refinement with any certainty. This list, on one leaf, has been joined with two other leaves which comprise an entirely different sort of list, or rather a group of lists, giving the incumbents of a certain number of medreses from as early as 963/1556 to as late as 978/1570: for example, the incumbents of the Kariye (Hanekah) medrese in Istanbul from Shawwāl 964/August 1557 to Ṣafar 978/July 1570.

List of the Müftis of the Period According to Turkish Tradition

Molla Shams al-Dīn Muḥammad b. Ḥamza b. Muḥammad al-Fenārī (Molla Fenârî) 828 to 834 / 1424–5 to 1431

Molla Shams al-Dīn Muḥammad b. Armaghān (Molla Yegân) 834 to 840 / 1431 to 1436–7

Molla Fakhr al-Dīn al-'Ajamī (Fahreddin Acemî) 840 to 865 / 1436–7 to 1460–1

Molla Muḥammad b. Ferāmerz (Molla Hüsrev) 865 to 885 / 1460–1 to 1480

Molla Aḥmad b. Ismā'īl b. 'Uthmān al-Gūrānī (Molla Gürânî) 885 to 893 / 1480 to 1488

Molla 'Abd al-Karīm (Abdülkerim) 893 to 900 / 1488 to 1495

Molla 'Alā' al-Dīn 'Alī al-'Arabī (Molla Arab) 900 to 901 / 1495 to 1496

Molla Ḥamīd al-Dīn b. Afḍal al-Dīn al-Ḥusaynī (Efdalzade) 901 to 908 / 1496 to 1503

Molla 'Alā' al-Dīn 'Alī b. Aḥmad b. Muḥammad al-Jamālī (Ali Cemâlî Efendi) 908 to 932 / 1503 to 1525–6

Molla Shams al-Dīn Aḥmad b. Sulaymān b. Kemāl Pasha (Kemalpaşazade) 932 to 940 / 1525–6 to 1534

Molla Sa'd Allāh b. 'Īsā b. Amīr Khān (Sa'dî Çelebi) 940 to 945 / 1534 to 1539

Molla Muḥyi 'l-Dīn Shaykh Muḥammad b. Ilyās (Çivizade) 945 to 949 / 1539 to 1542

Molla 'Abd al-Ḳādir (Kadirî Çelebi) 949 / 1542–3

Molla Muḥyi 'l-Dīn Muḥammad b. 'Alī b. Yūsuf Bālī b. Molla Fenārī (Fenârîzade Muhyiddin Çelebi) 949 to 952 / 1543 to 1545

Molla Abu 'l-Su'ūd b. Muḥammad b. Muṣṭafā al-'Imād (Ebüssu'ûd Efendi) 952 to 982 / 1545 to 1574

Conventions Employed

The names of books and articles in Arabic and Ottoman Turkish have been given according to the system of transliteration used in *EI²* (except that 'dj' has been rendered simply 'j' and the underlining of double consonants, as in 'kh', has been omitted), and I have given the names of persons, titles, ranks and offices, and technical terms in their fully transliterated form according to the system of *EI²* (as amended) on their first occurrence, with the form subsequently to be used immediately following in brackets. These last are normally the accepted—or an acceptable—modern Turkish form such as, in the case of names of persons, that found in *İA*, in the other cases, that found in the *New Redhouse Turkish-English Dictionary*, Istanbul, 1968 (this principle has been followed even where an accepted English form exists: thus 'vezir' in preference to 'vizier'). In the case of proper names, an exception has been made for Ottoman sultans, where the modern Turkish form is used throughout, and for persons to whom only passing reference is made, where either the fully transliterated form or the modern Turkish form, whichever seems the more appropriate in the context, has been used. Similarly, I have not in general rendered commonly used Islamic terms in their modern Turkish forms where the latter might be less widely understood: thus *ḥajj* rather than *hac*, *fiḳh* for *fıḳıh* and *ra'y* for *rey* (though şeriat for *sharī'a*). The decisions concerning italicization of terms rest upon a no doubt impressionistic sense of their relative familiarity: thus, for example, Müfti, kadı, kazasker and fetva have not been italicized whereas *mülâzım* and *nöbet*, for example, have. I have tended not to capitalize titles, offices and ranks (thus 'Rumeli kazasker', for example), with several important exceptions: in particular, I have used 'Müfti' to designate the Müfti of the capital city (Istanbul for the greater part of the study), or the Shaykh al-Islām (Şeyhülislâm) as he came to be called. I have likewise used 'Hoca' to denote the sultan's *Khwāja* (Hoca) and have capitalized 'Grand Vezir' to emphasize his standing amongst the vezirs.

I have adopted the convenient Turkish suffix ' -lık/lik/luk/lük' (for which generally, see G. L. Lewis, *Turkish Grammar*, Oxford, 1974, 62) in the sense of the English ' -ate' as in 'vizierate', to denote either the post of, or the period of office of, a given official: thus 'Müftilik' may be either the post of Müfti or the period of office of a particular Müfti, and so with kadılık, kazaskerlik, müderrislik, etc. While quotations from Arabic are normally transliterated according to the system used in *EI²* (as amended), those from Ottoman Turkish are normally rendered into modern Turkish orthography (again, usually as in *New Redhouse*, with Persian *iḍāfa/izafet* being marked by an invariable ' -i'). Place names within the Turkish Republic are given in their current Turkish forms, while places outside Turkey are given in the form familiar in English (e.g. Jerusalem, Belgrade, Cairo, Rhodes) where such exist. In other cases I have generally preferred the Turkish form (e.g. Üsküp for Skopje) while giving the form (or one of the forms) as in *The Times Atlas of the World (Comprehensive Edition)*, revised 5th edn., London, 1977, in brackets on the first appearance of the name and again in the Index.

In all, I have aimed at reasonable consistency but am aware that certain inconsistencies remain, as, for example, in the use of the circumflex in Turkish

words and forms of names, where usage both differs from author to author at any given time and has also tended to change in the language as a whole over recent years. For these I can only ask the reader's indulgence.

Preface

Certainly by the last quarter of the sixteenth century, the office of Müfti of Istanbul, or the Şeyhülislâm as he came increasingly to be called,[1] had become the highest office in the Ottoman learned hierarchy, that body of scholars responsible, most importantly, for the administration and interpretation of the law and for education in the empire. The Müfti, who was often likened by western authors to the Pope, had, by this time, unquestionably become comparable in prestige, perhaps even, in some respects, in authority, to the Grand Vezir, the sultan's 'absolute deputy'. If the nature and functions of the Müftilik in the later period of the empire—from, roughly, the death of possibly the greatest of the Müftis, Ebüssu'ûd Efendi, in 1574—are reasonably well understood, at least in broad terms, the history of the origins and development of the office is still relatively obscure. The central purpose of the present book is to examine the early history of the office, from its inception (traditionally dated *c.* 1425, at which time, before the conquest of Constantinople, it should properly be termed the Müftilik of the capital) to the death of Ebüssu'ûd Efendi, and to try to determine, insofar as the sources allow, why and in what circumstances the office came into existence and how it developed over the

[1] For the use of the title Şeyhülislâm in non-Ottoman as well as Ottoman contexts, see Ali Emiri Efendi in *İS*, 304 et sqq. (as below, pp. 10–11); J. H. Kramers, 'Shaikh al-Islām' in *EI*[1]; Uzunçarşılı, *İT*, 173 et sqq.; and Richard W. Bulliet, 'The Shaikh al-Islām and the Evolution of Islamic Society', *SI*, xxxv (1972), 53–67. The general point ought to be made that by the time of the Ottomans, the title appears to have had for some time, in a large part of the Islamic world, a particular (though not exclusive—see Bulliet's article and below, Chapter II, n. 100, Chapter III, n. 136—and not normally in any sense official) association with *iftā'*, the giving of fetvas. The evidence of the Ottoman sources suggests that the Ottomans used Müfti and Şeyhülislâm more or less interchangeably (and often together), the former more commonly in earlier times, the latter in later times: cf. Uzunçarşılı, *İT*, 174, who remarks: 'While in Ottoman sources the holder of the highest learned office frequently carried the title of Müfti until the latter part of the 17th century, from the 18th century the term Şeyhülislâm was used in its stead.'

Arguably setting too much store by the Ottomans' use of the title Şeyhülislâm, Bulliet, while bringing out several suggestive points, ultimately fails to persuade in his attempt to elucidate the nature of the Ottoman office—at least in the first 150 years of its existence—by reference to similarly titled officials in other areas of the Islamic world; and the instances he cites of the uses of the term in non-Ottoman contexts are, in the present author's view, more likely to mislead than to inform about the origins and early development of the Ottoman Şeyhülislâmlık, though it may be that they have some relevance to the Ottomans' eventual preference for the title.

The choice of 'Müfti of Istanbul' as the title of the present book is, of course, open to objection on several grounds, for example, that the first few Müftis were not located in Istanbul and that Ottoman authors of the fifteenth and sixteenth centuries regularly refer to Istanbul as Constantinople. I have, nevertheless, thought that title to be both the most informative and the least misleading of the various possible choices.

years, on the one hand to attain the pre-eminence it came to enjoy in the learned hierarchy, and on the other, concomitantly, to assume the important role it undoubtedly played in matters of state from at least the late sixteenth century onwards.

Before considering this central theme, I have thought it essential to deal in some detail with two topics fundamental to an understanding of the history of the Müftilik. These are, first, the nature, uses and limitations of the source materials used in the study of the early Müftilik and, indeed, of the learned profession in general; and second, the development of the Ottoman learned hierarchy as a whole, the 'religious' bureaucracy which the Müfti was to come to head. On the question of sources, by far the most important of these are the biographical dictionaries of one sort or another; and in a sense, the approach adopted in the book to the study of the central theme—that is, to examine the history of the Müftilik through the biographies of the holders of the office—is dictated by this fact. Use has also been made of the standard Ottoman histories, which contain occasional references to the office or to individual Müftis, and of archival material of various sorts, both published and unpublished. The sources are considered directly in the first chapter of the book and indirectly throughout the later chapters, where conflicts amongst them on points of substance and detail are noted. Through these means it is hoped that a fairly clear idea will emerge of the reliability and the interrelationships both of types of materials and of individual sources; and the analysis of the sources is thus an integral and not merely an ancillary part of the book.

Also important for the understanding of the development of the Müftilik is, as mentioned above, an understanding of the development of the Ottoman learned hierarchy as a whole in the early centuries of the empire. The fully developed hierarchy of the ulema as it existed in the eighteenth century—unusually elaborated for an Islamic state—has been described in several fairly recent works, notably the second part of Gibb and Bowen's *Islamic Society and the West* (1957), now a bit dated, and, in Turkish, İ. H. Uzunçarşılı's important study, *İlmiye teşkilâtı* (1965). While the latter is particularly valuable for the period from the middle of the sixteenth to the eighteenth century, it also contains a good bit of information about various aspects of the earlier period. The author's approach is only superficially systematic, however, a fact which renders his book somewhat difficult of use from the point of view of tracing the evolution of the hierarchy as a whole; and the value of the information and analysis he gives is also vitiated to a degree by his occasional inaccuracy and imprecision and his failure to press difficult and doubtful points. The second chapter of the present book has therefore been devoted to a discussion of the development of the learned hierarchy, and the opportunity taken, among other things, to systematize, correct and amplify the account given by Uzunçarşılı in so far as it relates to the fifteenth and sixteenth centuries. It may be helpful to readers unfamiliar with the Ottoman learned hierarchy to have their attention drawn at the outset to the schematic representation of the hierarchy in the eighteenth century which faces the first page of Chapter II.

Over the years during which this book has gradually evolved, I have been helped by a great many colleagues, particularly at the Oriental Institute in Oxford. I hope that they will accept this blanket acknowledgement of, and thanks for, their very considerable assistance. If, amongst colleagues, I single out Professor V. L. Ménage, formerly of SOAS, it is because he has taken a close interest in my work over many years: some measure of my debt to him will be apparent from footnote references.

I owe a great debt too for the help I have received from a number of libraries and archives in Turkey, in Britain and elsewhere in Europe. I should like especially to record my gratitude to the Directors and staffs of the Süleymaniye Library, the Başbakanlık Archives and the Topkapı Sarayı Museum, all in Istanbul, and in particular to thank the Director of the last-named for permission to reproduce the photograph of the document in Appendix II. In the same vein, I am very grateful to the University of California Press, Berkeley, and to the Southern Illinois University Press for permission to reproduce material from two earlier articles of mine, as noted at the beginning of Chapter II.

In the production of the book I have been greatly assisted by Miss Sheila Lewis, who typed the manuscript, and by Mr. Alan Jones, who patiently explained the mysteries of editing and setting text, both English and Arabic, by computer. I owe an immense debt of gratitude to the Oxford University Computing Service and its staff, in particular Mrs. Catherine Griffin, who spent many hours both in advising me and also in seeing the book through some of its more tedious phases. To Mr. Stephen Ashworth, who took on various stages of the production of the book, I am also very grateful. I acknowledge with gratitude a generous grant from the British Academy toward the publication costs of the book.

Finally, many will know, though none so well as I, how very greatly I have benefited from the constant advice and encouragement which I have received from my friend and colleague, Geoffrey Lewis; and it is to him that I dedicate this book, with gratitude and affection.

CHAPTER ONE

The Sources

Since the writing of histories of institutions was little practised among early Ottoman historians, one is forced to rely heavily on the information found in the various biographies of the ulema of the Ottoman state in seeking contemporary or near-contemporary material relative to the development of the early Müftilik. A task of primary importance, therefore, is the determination of the biographical facts of the lives of the men who held the position in as accurate a manner as the available material will allow, since it is only from such accurately determined biographical data that one can safely draw inferences both in regard to the history of the institution itself and in regard to the importance of that institution relative to the various other offices held by the ulema in the Ottoman state. Unfortunately the available material, particularly that relating to the Müftis of the fifteenth century, is scanty, vague, and frequently contradictory. There are few, if any, sources, Turkish or non-Turkish, old or modern, that may safely be relied upon. Only a comparison of the various sources for the lives of the Müftis, constant cross-checking with the lives of those who came in contact with them, and recourse to scattered references to the Müftis in the early histories and such official and—rarely—personal documents as have so far become available can yield accurate data on which to base assumptions about the institution.

To illustrate both the unreliability of the sources and the dangers of evidence drawn from them without careful checking, one might quote a passage from one of the most comprehensive works on Ottoman society and institutions:

> It may also be remarked that the second *Muftî* of Istanbul, *Mollâ* Ḫusrev, became first *Ḳâḍî-'asker* (before the conquest), then *Ḳâḍî* of Istanbul, and finally, after a period of retirement, *Şeyḫ* (*Encyc. of Islam*, art. 'Khosrev Molla'). His successor, Şemsu 'l-Dîn Kurânî, likewise became *Şeyḫ* after being earlier *Ḳâḍî-'asker* (ibid., art. 'Kurānī'). It therefore seems likely that the *Muftilik* was already in the fifteenth century regarded as a post superior to that of *Ḳâḍî-'asker*. Possibly the change introduced in the reign of Süleymân regarded the *Şeyḫ*'s authority over *Mollâs* and other learned officers rather than his rank (cf. Seyyid Muṣṭafâ, i. 114).[1]

The general purpose of the lengthy note from which this passage is quoted is to suggest that although it is generally accepted that the Müfti did not become pre-eminent until the reign of Süleyman, there is some evidence to show that he may well have been pre-eminent in some sense from an earlier period. While this is certainly true, although not quite, perhaps, in the terms

[1] Gibb/Bowen, i/2, 84, n. 4.

suggested by the authors, and while the evidence they adduce in the earlier part of the note is valid and will be referred to later, the particular piece of evidence relative to these two Müftis is not valid since it is based on incomplete biographical information. The authors' argument implicitly accepts the generally held view that it was the kazaskerlik which was the highest rank held by the ulema until superseded by the Müftilik, whether in the time of Süleyman or before. The inference that the Müftilik was more important than the kazaskerlik because both men held the former office after the latter would be valid only if it could be shown that both men had been promoted from one to the other. In fact, however, Molla Hüsrev (d. 885/1480) held a number of intervening posts: after leaving the kazaskerlik he became kadı of Edirne in the latter days of the reign of Murad II;[2] adviser of an unspecified nature to Mehmed II in the early days of his second sultanate; then, seemingly, a müderris at one of the medreses converted from churches by Mehmed II after the conquest of Constantinople; then kadı of Istanbul; and, finally, Müfti. Molla Kurânî (Gürânî) (d. 893/1488) held at least the kadılık of Bursa after being removed from the kazaskerlik and before becoming Müfti. One cannot infer solely on the basis of the sequence of posts that the Müftilik was more important than the kazaskerlik without also inferring that these various other posts were also more important than the kazaskerlik, an inference which the authors would clearly not be prepared to draw.

A fact which further invalidates the authors' inference is that Molla Hüsrev very possibly, and Molla Gürânî certainly, was removed from the kazaskerlik, the latter, at least, under something of a cloud. In regard to Molla Hüsrev it will be shown that the circumstances in which he left the kazaskerlik are not clear, the traditional story of his departure from it being questionable. One possibility is that he was removed from the office in order to make way for the son of a powerful Grand Vezir, though it is also possible that he was removed for a dereliction of duty or that he resigned. It is in any case certain that some time later he reappeared on the scene as kadı of Edirne, a post which, according to the generally accepted view, was lower in rank than that of kazasker. The case of Molla Gürânî is clear-cut: he was removed from the kazaskerlik for failing to submit for Mehmed II's approval the appointments he was charged with making in that capacity and was then packed off to Bursa as kadı and administrator of the imperial *awḳāf* (*evkaf*) there.

Once it is clear that one man possibly, and the other certainly, left the kazaskerlik in rather special circumstances, it is also clear that it is difficult to

[2] Babinger, the author of the article in *EI*[1] referred to in Gibb/Bowen, is probably in error, along with a number of other sources, in placing this appointment before the appointment to the kazaskerlik. Whether or not Molla Hüsrev held the kadılık of Edirne before his appointment to the kazaskerlik, it is certain that he held it afterwards. For a detailed discussion of Molla Hüsrev's career, see below, pp. 154 et sqq.; for that on Molla Gürânî, see below, pp. 166 et sqq.

draw any safe conclusions about the importance of any office they held after that *vis-à-vis* the kazaskerlik, particularly one which they held after occupying a number of other posts. It seems, in fact, fairly certain that the appointment to the kadılık of Bursa represented a demotion for Molla Gürânî: Mehmed II, after deliberation with his vezirs, was forced to resort to a stratagem to induce Molla Gürânî to accept the job. The case of Molla Hüsrev is less clear, however, because of the paucity of facts concerning his leaving the kazaskerlik and his appointment to the kadılık of Edirne.

It may be useful to include here some remarks of a general nature on the sources most commonly used in constructing the biographies of the various Müftis; instances of the variations among them in specific cases will be noted in the appropriate places in the biographies themselves. The following remarks are in no way meant to be exhaustive either in the sense of covering all the extant biographical sources or in the sense of saying all that might be said about those sources which have been consulted. Nor, in general, has any systematic attempt been made to establish the correctness, or otherwise, of the published texts, where these have been used, though it may be remarked in passing that they would appear to be not altogether satisfactory. The intention here is rather simply to convey some idea of the nature, the interrelationships and the reliability, in general terms, of the sources most frequently referred to by those writing on the Ottoman ulema.

The basic source relative to the ulema from the beginning of the Ottoman state to the mid-sixteenth century, and the one on which all later sources depend to a greater or lesser extent, is *al-Shaḳā'iḳ al-nu'māniyya fī 'ulamā' al-dawlat al-'Uthmāniyya* by Molla 'Iṣām al-Dīn Aḥmad b. Muṣṭafā b. Khalīl, known as Taşköprüzade (d. 968/1561).[3] The importance of this work

[3] This work, hereafter referred to as 'Taş', has been published in the margin of the *Wafayāt al-a'yān* of Ibn Khallikān (2 vols., Bulak 1299/1882). The edition published by the Dār al-Kitāb al-'Arabī (Beirut, 1975) appears, on the basis of the coincidence of a number of idiosyncratic passages, to be effectively a reprint of the text in Ibn Khallikān. A number of manuscript copies exist, of which one, dated 8 Rajab 1027/2 July 1618, is in my possession and will be referred to as 'Taş MS.'. For a description of the work and the various additions to, and translations of, it made in later times, some of which are discussed below, see Kâtib Çelebi, *KZ*, ii, 1057–8, and the informative article by Behçet Gönül, 'İstanbul kütüphânelerinde Al-Şaḳā'iḳ al-nu'mānīya tercüme ve zeyilleri', *TM*, vii–viii/2 (1945), 136–68, in which the author gives brief biographies of the authors, descriptions of the works, and lists of manuscripts, some of which are described. The German translation of Taş by O. Rescher (*eš-Šaqâ'iq en-No'mânijje von Tašköprüzâde*, Istanbul, 1927) is based upon the text in the margin of Ibn Khallikān (the edition used having been published in 1310/1892–3, in Cairo/Bulak: I have been unable to locate a copy of this edition), but also takes account of three MSS. and, to some extent, Mecdî (see below, n. 8). The best source for the life of Taşköprüzade is his autobiography in Taş, ii, 177–92, completed by Mecdî in his translation of Taş (pp. 524–6): see also Atâ'î (as below, n. 12), 8–11; and, more recently, M. Münir Aktepe, 'Taşköpri-zâde 4.' in *İA*. The date of his death is given as 961/1553–4 in *OM*, i, 346, a date clearly erroneous in view of the fact that Taşköprüzade himself states that he completed his work on 30 Ramaḍān 965/16 July 1558.

as a source for the study of the early Müftis lies in the fact that the author, himself a member of the ulema, lived from 901/1495 to 968/1561, and his active life thus encompassed the periods of office of all the Müftis from Ali Cemâlî Efendi (for the greater part of his tenure) to Ebüssu'ûd Efendi, although he does not write about this last, having died in the middle of Ebüssu'ûd Efendi's period of office. The traditional date for the foundation of the institution of the Müftilik lay little more than two generations removed from his own time, very little before the student days of his paternal grandfather, Molla Khayr al-Dīn Khalīl b. Ḳāsim b. al-Ḥājj Ṣafā (Molla Halil: d. 879/1474–5). Molla Halil studied under the following men: the brother of the Molla Hüsrev who was later to become Müfti; Fahreddin Acemî, likewise a Müfti; Molla Yusuf Bâlî, the son of the man usually cited as the first Müfti, namely Molla Fenârî; and Molla Yegân, Molla Fenârî's successor, who was, in all probability, Müfti at the time Molla Halil studied under him. But Molla Halil's usefulness as an eyewitness of events, at least, is limited to his student days, roughly 1430 to perhaps the mid-1440s; for following his period of study with Molla Yegân, he took up an appointment at the Muẓaffar al-Dīn medrese in the town of Taşköprü, near Kastamonu, and remained in the area of Kastamonu for the rest of his life, resolutely resisting attempts to entice him to Istanbul.[4]

Taşköprüzade gained from his father, Molla Muṣliḥ al-Dīn Muṣṭafā b.

[4] For his biography, see Taş, i, 187–92; Mecdî, 139–42; Aktepe, 'Taşköpri-zâde I.' in *İA*. Just when Molla Halil went to Taşköprü is not clear. According to Taş, i, 188–9, the then Bey of Kastamonu, İsmail Bey, having completed the medrese of Muẓaffar al-Dīn in Taşköprü (but cf. Mecdî (p. 139), who simply says that the medrese was vacant, and Baltacı, *O. Med.*, 323–4, where an extant inscription from the medrese itself is quoted to the effect that it was completed in 729/1328 by Candaroğlu Süleyman Paşa), sent to Molla Yegân asking that he send one of his students to teach there, in response to which Molla Yegân sent Molla Halil. İsmail Bey appears to have become Bey of Kastamonu only in 847/1443 (J. H. Mordtmann, 'Isfendiyār Oghlu' in *EI*²), and it would thus seem necessary to date Molla Halil's departure subsequent to that date.

When Mehmed II (d. 886/1481) completed the *Ṣaḥn-i thamān* (Sahn) medreses, he offered one of them to Molla Halil who, however, refused the appointment, according to Mecdî because he feared that he would become enmeshed in the distractions engendered by 'love of glory' (*ḥubb-i câh*). Mehmed II then dismissed him from the medrese in Taşköprü and said that were Molla Halil to come seeking a post, he would make him settle in Istanbul, a threat which only confirmed Molla Halil in his resolve to remain in Taşköprü. It may be noted here, relative to Molla Halil's value as a source of material, that it does not necessarily follow from his steadfast refusal to return to the academic centres of Istanbul, Bursa and Edirne that he was unaware of what was going on in those centres. For this reason it seems not without point to mention his teachers, as above, even though the brother of the first, and possibly the second, became Müfti after the period of Molla Halil's contact with them. It is true that Taşköprüzade refers to his grandfather relatively rarely; but it may well be supposed that much of the material about the earliest Müftis passed on to Taşköprüzade by his father came originally from his grandfather.

Khalīl (Molla Mustafa: 857–935/1453–1529),[5] an enormous amount of information: hardly an article fails to contain a fact or an anecdote gleaned from *al-Mawlā al-wālid*, the term by which Taşköprüzade usually refers to his father. Molla Mustafa studied first under his maternal uncle, Molla Muḥyi 'l-Dīn Muḥammad b. Ibrāhīm b. Ḥasan al-Niksārī,[6] almost certainly at the İsmail Bey medrese in Kastamonu. At exactly what date he became involved in the life of the academic centres of Bursa, Edirne and Istanbul is not entirely clear. It is noted that his second teacher was Molla Muḥyi 'l-Dīn Darwīsh Muḥammad b. Khiḍr Shāh,[7] the müderris at the Sultan medrese in Bursa. In the article on this last-named scholar Taşköprüzade relates a story he heard from his father about an encounter in Bursa between the scholar and Mehmed II who was on his way to do battle with Uzun Hasan: the encounter therefore probably took place in 878/1473, the year of Mehmed II's great campaign against Uzun Hasan. While it is not stated in the text that Molla Mustafa was present, it seems not unreasonable to suppose that he was. Following his study in Bursa he moved on to study at the *Ṣaḥn-i thamān* (Sahn) medreses in Istanbul, recently built by Mehmed II. Having completed his education he went on to hold teaching appointments at medreses in Bursa (on several occasions), Ankara, Üsküp (Skopje), Edirne, Amasya and Istanbul. Only twice did he leave medrese teaching, once to act as *khwāja* (hoca) to Shāhzāde (Şehzade) Selim, later Selim I, and once to take up what proved to be an extremely short-lived appointment as kadı of Aleppo, mention of which will be made below. He died as müderris at the Sahn on 12 Shawwāl 935/19 June 1529.

Taşköprüzade was thus able to find in his own family—in his father particularly and, with his father as intermediary, in his grandfather—a wealth of material relative to the ulema of the generations previous to his own. Nor, of course, were his contacts limited to his own family: he was acquainted with and able to draw upon his father's generation just as his father had been acquainted with the ulema of *his* father's generation. Taşköprüzade was thus intimately and immediately connected with a living tradition. In assessing his value as a source one cannot assume on this account that he will always be right, particularly in matters of detail, though errors of fact are less often met with than vagueness and irritating omissions; but, because of his immediate contact with this living tradition, he is less likely to be wrong than many of the later sources, especially in matters of greater import than the exact date of this or that appointment or dismissal.

One must also mention as a separate source the translation of the *Shaḳā'iḳ* into a Turkish as full of rhetoric as Taşköprüzade's Arabic is spare and

[5] See Taş, i, 612–18; Mecdî, 391–3; Aktepe, 'Taşköpri-zâde 2.' in *İA*. Babinger ('Tashköprüzāde' in *EI*[1]) is in error in stating that Molla Mustafa died as professor in Bursa.

[6] See Taş, i, 405–8; Mecdî, 291–2. This scholar, like Taşköprüzade's grandfather, studied under Molla Yusuf Bâlî and Molla Yegân.

[7] See Taş, i, 262–4; Mecdî, 188–9.

unadorned, by Molla Muḥammad Majdī al-Edirnewī (d. 999/1590–1), known as Mecdî.[8] Were it no more than a translation it would still be of great use to the modern student because it often gives place names, proper names and technical terms in their more familiar Turkish form.[9] But Mecdî's work is much more than a translation in that it contains a great deal of additional material, usually useful, sometimes inserted in the text, sometimes given in the form of a *tadhyīl* (*tezyil*) appended to the individual articles. One finds in Mecdî a wide variety of material—appointments, works, *evkaf*, burial places and so on—which has somehow escaped Taşköprüzade's notice, or perhaps not caught his interest. While valuable additions are made in the biographies of fourteenth and fifteenth-century scholars, Mecdî's work is particularly important for the lives of sixteenth-century scholars, to Taşköprüzade's accounts of whom he adds a good bit of specific information, often in the course of the text.[10] He is occasionally guilty of incorrect additions, however, or of the omission of material in Taşköprüzade, and his work cannot therefore be used with absolute assurance as a substitute for Taşköprüzade's.[11]

[8] This translation is formally called *Ḥadā'iḳ al-Shaḳā'iḳ*, but is usually referred to as *Shaḳā'iḳ tercümesi*: it will be cited as 'Mecdî'. Completed in 995/1586–7 (Mecdî, 527), the work was published in Istanbul in 1269/1852. For an account of Mecdî's life, see Atâ'î (as below, n. 12), 334–6.

[9] For example, Mecdî's 'Üç Şerefeli medreseleri' for Taşköprüzade's *al-madrasatayn al-mutajāwiratayn* (Taş, i, 276; Mecdî, 197). Taşköprüzade generally refers to imperial medreses by the names of the sultans who founded them, while Mecdî refers to them by their more familiar nicknames: thus Mecdî's 'Kaplıca medrese' for Taşköprüzade's *madrasat al-Sulṭān Murād Khān b. Orkhān al-Ghāzī* (in Bursa) (Taş, i, 267–8; Mecdî, 191). Also worth noting is the fact that Mecdî sometimes edits the text of Taşköprüzade in a purely formal way by, for example, omitting repetitions (e.g. Taş, i, 92, 110; Mecdî, 53, 70). In at least one instance Mecdî uses the same material for a different purpose: in the article on Molla Fenârî, an Arabic *ḳaṣīda*, written and sent by Molla Fenârî to a Sufi şeyh, is quoted by Taşköprüzade partly, presumably, because he himself has seen it and partly to illustrate Molla Fenârî's interest in Sufism. Mecdî quotes the same *ḳaṣīda* in a different context to illustrate Molla Fenârî's ability to write beautiful Arabic poetry (Taş, i, 89–90; Mecdî, 52).

[10] Curiously enough, Taşköprüzade's biographies of the sixteenth-century scholars, his own contemporaries, are rather disappointing in their lack of such specific facts as the dates of appointments and often seem perfunctory when compared with his biographies of earlier scholars. It seems that Taşköprüzade was by temperament more interested in the ulema of the earlier days of the state than in those of his own time. See also below, pp. 28 et sqq.

[11] The occasional dangers of the fairly common failure to distinguish between Taşköprüzade and Mecdî are well illustrated by a statement in the article 'Fenārī-zāde' by J. R. Walsh in *EI*[2]. In regard to Muḥyi 'l-Dīn Meḥemmed (see below, pp. 263 et sqq.), the author writes: 'His [Shāh Meḥemmed's] younger brother (and not his son, as stated in Tashköprüzāde, 387, and the sources which derive therefrom), Muḥyi 'l-Dīn Meḥemmed ...'. The mistake, however, is Mecdî's, not Taşköprüzade's; and it is precisely the latter and the sources which follow him, as distinct from those which follow Mecdî, who get the genealogy right.

Note may also be made here of the most important *dhayl* (*zeyl*) to Taşköprüzade's work, or, more properly, to Mecdî's, namely the *Ḥadā'iḳ al-ḥaḳā'iḳ fī takmilat al-Shaḳā'iḳ*, by 'Aṭā' Allāh b. Yaḥyā b. Pīr 'Alī b. Naṣūḥ, known as New'ī-zāde 'Aṭā'ī (Atâ'î: d. 1045/1635), which extends from the point at which the *Shaḳā'iḳ* stops, in the middle of the reign of Süleyman, into the reign of Murad IV, during the course of which Atâ'î died.[12] Though Ebüssu'ûd Efendi's biography alone of those of the Müftis under consideration is to be found in Atâ'î, the author occasionally gives useful information concerning the fathers of scholars about whom he is writing and thus constitutes an important source for certain of the Müftis previous to Ebüssu'ûd Efendi. In addition, his biographies, which are much more detailed and specific than those in either Taşköprüzade or Mecdî, are a prime source of material from which may be deduced the development of the learned hierarchy in the middle and later years of the sixteenth century and the early seventeenth century.

Important also as a contemporary biographical source for the latter half of the sixteenth century is another *zeyl*, in this case to Taşköprüzade's work, namely *al-'Iḳd al-manẓūm fī dhikr afāḍil al-Rūm* by Molla 'Alī b. Bālī, known as Manḳ 'Alī (Mank Ali: 934 to 992 / 1527–8 to 1584).[13] Though in many respects superseded by Atâ'î's work, which is both more comprehensive and, in general, more detailed, Mank Ali's book retains considerable value precisely because it is a contemporary record, and in some cases assessment, of scholars' careers and achievements and because it does, on occasion, have material which for one reason or another has not found its way into Atâ'î's work.

As noted above, most of the later sources writing about the period under discussion depend to a greater or lesser extent on either Taşköprüzade or Mecdî. Of those relating to the ulema in general, the most commonly used for the ulema of the early period of the Ottoman state are two of the great histories, the *Tāj al-tawārīkh* by Hoca Sa'd al-Dīn (Sa'deddin: d.

[12] The work, hereafter referred to as 'Atâ'î', was completed in Rabī' II 1044/September–October 1634 (Atâ'î, 771) and was published in Istanbul in 1268/1852. See also Kâtib Çelebi, *KZ*, ii, 1058 and J. R. Walsh, "Aṭā'ī' in *EI*[2].

[13] Also published in the margin of the *Wafayāt* of Ibn Khallikān (and now in the Beirut edition of Taşköprüzade, referred to in n. 3 above), following Taşköprüzade (ii, 193 et sqq.), and hereafter referred to as 'Mank Ali'. O. Rescher has published a German translation of Mank Ali (*Ṭaşköprüzâde's "eş-şaqâ'iq en-No'mânijje" fortgesetzt von 'Alî Mımq unter dem Titel "el-'iqd el-manẓûm fî ḏikr afâḍil er-Rûm"*, Stuttgart, 1934), based on the text in the 1310 edition of Ibn Khallikān (see above, n. 3) and one MS. For a biography of the author, see Atâ'î, 279–80. Atâ'î's explanation of the epithet منق (p. 279) would appear to establish the correctness of the vocalization *Manḳ* ('stupid, foolish, utterly perplexed, dopey'), as in the *Catalogue of the Arabic Books in the British Museum*, i, by A. G. Ellis, London, 1894, reprinted 1967, col. 238, and the *Second Supplementary Catalogue* thereto by A. S. Fulton and M. Lings, London, 1959, col. 153, rather than the vocalizations *Munuq* and *Mımq* found in other sources, e.g. Rescher's translation.

1008/1599)[14] and the *Kunh al-akhbār* by 'Ālī (Âli: d. 1008/1599–1600),[15] both of which, in common with many of the Ottoman histories, have sections dealing with the ulema of each sultan's reign. Sa'deddin, whose work ends with the reign of Selim I (d. 926/1520) and the printed edition of which includes biographies of scholars through the reign of Bayezid II (abdicated 918/1512), is for the most part content to give straightforward translations of Taşköprüzade's biographies, only very occasionally adding a fact not to be found in Taşköprüzade. The biographies in Âli's history are likewise in the main abridged translations of Taşköprüzade's, though particularly in those concerned with sixteenth-century scholars he occasionally adds material gleaned from other sources.

A work not commonly used in recent times, though it was used by two eighteenth-century writers, Müstakimzade and İsmail Beliğ, whose books will be mentioned shortly,[16] is the *Katā'ib a'lām al-akhyār min fuḳahā' madhhab al-Nu'mān al-mukhtār* by Molla Maḥmūd b. Sulaymān al-Kafawī (el-Kefevî: d. 990/1582).[17] Born in Kefe (Kaffa), the author came to

[14] See Kâtib Çelebi, *KZ*, i, 269, and Atâ'î, 429–31. The work has been published in two volumes (Istanbul, 1279–80/1862–3) and will be referred to as 'Sa'deddin'.

[15] See Kâtib Çelebi, *KZ*, ii, 1521, and K. Sussheim–R. Mantran, "Ālī" in *EI²*. The work is hereafter referred to as 'Âli'. The part of it up to the reign of Mehmed II has been published in five volumes (Istanbul, 1277–85/1861–9) and includes, in the fifth volume, the biographies of scholars until the end of the reign of Murad II (d. 855/1451). Of the remaining part of the work I have been able to consult manuscripts of the sections dealing with the ulema of the reigns of Bayezid II and Selim I (British Library MS. Add. 10,004) and Selim I and Süleyman (British Library MS. Or. 7832). For the section dealing with the structure of the learned hierarchy, and on several other points, as noted, I have used İstanbul Üniversitesi MS. TY 5959.

[16] See below, p. 12. It was also the acknowledged inspiration of, and basis for, the work by the nineteenth-century Indian scholar Muḥammad 'Abd al-Ḥayy al-Laknawī (d. 1304/1886–7), *al-Fawā'id al-bahiyya fī tarājim al-Ḥanafiyya* (Cairo, 1324). The author so abridges el-Kefevî's biographies that the result is only minimally useful from a biographical point of view, but he occasionally adds factual material from other sources and critical assessments, his own or others', of various scholars' writings and other achievements.

[17] The work, hereafter referred to as '(the) *Katā'ib*', has not been published. In addition to the manuscripts listed in Brockelmann (*GAL*, ii, 572–3; Suppl., ii, 645), O. Spies lists seventeen manuscripts in Istanbul (*Beiträge zur arabischen Literaturgeschichte*, Leipzig, 1932, 42–5): to these should be added a second copy in Topkapı Sarayı (Emanet Hazinesi MS. 1201, described in F. E. Karatay, *Topkapı Sarayı Müzesi Kütüphanesi Arapça Yazmalar Kataloğu*, iii, Istanbul, 1966, 573); Murad Molla MS. 1463, dated 1062/1652; Köprülü MS. o.1112, dated 1077/1666–7; and İstanbul Üniversitesi MS. AY 3216, n.d. As well as the Vienna MS., mentioned by Brockelmann and dated 1104/1692, Süleymaniye–Esad Efendi MS. 548, dated 1020/1611–12; the Murad Molla and Köprülü MSS.; and Süleymaniye–Reisülküttab MS. 690 (listed by Spies as "Āšir I"), dated 1086/1675–6, have been used. In general terms the Esad Efendi (EE), Murad Molla (MM) and Reisülküttab (R) MSS. are similar in their readings, as are the Köprülü (K) and Vienna (V) MSS. Unless otherwise noted, reference will be made to the Reisülküttab MS. (R) as being on the whole both the most readable and the most accurate of the MSS.

For a description and appraisal of the work see Kâtib Çelebi, *KZ*, ii, 1472–3; *OM*, ii,

Istanbul in 949/1542–3. Having been educated in the medreses, he taught for a time and then became a kadı, serving several times in Kefe and also in Sinop and Gelibolu (Gallipoli). He was removed from the kadılık of Kefe in 987/1579–80 and returned to Istanbul where he seems to have remained until his death in 990/1582. The *Katā'ib*, his major work, is a collection of biographies, in Arabic, of Ḥanafī ulema; roughly the last quarter of it is devoted to the Ottoman ulema. Preserved only in the earliest of the manuscripts so far located is the colophon of what must have been the original copy of the work in which one Muṣṭafā b. al-Ḥājj Ramaḍān, known as ʿĀrifī (?), states that he made a fair copy, section by section, as el-Kefevî wrote the work, and that his copy was completed in Rajab 987/August–September 1579.[18] This complements evidence in the text which indicates that this last section, at least, was written between Shaʿbān 985/October 1577 and Ṣafar 987/April 1579, since el-Kefevî refers to the fact that Molla Aḥmad b. al-Ḳāḍī Badr al-Dīn was Müfti at the time of writing and that Molla Muḥyi 'l-Dīn Muḥammad b. Shaykh Muḥammad Çivi-zāde was Rumeli kazasker.[19]

The organization of the biographies in the *Katā'ib* is roughly chronological, but the use of an unedited manuscript is made difficult by the fact that the author often includes one scholar's biography within that of another by an associative process. Though Molla Luṭfī (Molla Lûtfi), for example, is included by Taşköprüzade among the scholars of Bayezid II and Kemalpaşazade among those of Selim I, el-Kefevî gives Molla Lûtfi's biography within that of Kemalpaşazade, the association being that it was because of Molla Lûtfi that Kemalpaşazade was persuaded to become a scholar.[20] Many of the biographies are very close verbally to those in Taşköprüzade, but el-Kefevî does add some important biographical facts and anecdotal material, notably in his biographies of sixteenth-century scholars. He also, in the case of Müftis, often gives examples of their *fatwās* (fetvas). His work is, in short, one which would seem to have been unjustly neglected and which well repays study.

In addition to these general sources on the ulema, use has been made of collections of biographies of groups of the ulema such as the *tadhkiras* (*tezkeres*) of the poets and works on the ulema of a particular city, to which reference will be made in the appropriate places. One work of the latter type, frequently cited and perhaps worthy of special mention, is the *Güldeste-i riyāḍ-i ʿirfān ve vefiyāt-i danishverān-i nādiredān* by al-Sayyid Ismāʿīl

19; and Atâ'î, 273. For el-Kefevî's life, see Atâ'î, 272–3. There are, in addition, scattered through the *Katā'ib* itself, a number of autobiographical references, some of the most important of which are conveniently summarized in *al-Fawā'id*, 3, n. 1. One fact noted there which seems to have escaped Atâ'î's eye is el-Kefevî's reference to his having served as kadı of Sinop (*Katā'ib*, f. 312a).

[18] *Katā'ib*, MM, f. 425a.

[19] *Katā'ib*, R, ff. 402b, 391a, 400b, and Atâ'î, 260, 292.

[20] *Katā'ib*, ff. 388b–389a. See below, pp. 228–9.

Belīgh b. Ibrāhīm al-Bursawī (İsmail Beliğ: d. 1142/1729), a collection of biographies of notables—sultans, princes, vezirs, and others as well as ulema—buried in Bursa.[21] The extraordinarily specific and factual nature of İsmail Beliğ's biographies, particularly his habit of including predecessors and successors in office, invests them with a credibility which is not always justified by the facts. Especially in the lives of the earliest scholars there is a deceptive positiveness in his dating of events which must be regarded with suspicion. He is not above making wildly contradictory statements, as in his article on Koca Efendi in which he states that he became kazasker in 771/1369–70 and performed the functions of that office for twenty-four years; but a few lines further on he says that he died in 774/1372–3.[22] Unfortunately İsmail Beliğ is demonstrably inaccurate often enough to cast doubt on all his facts which cannot be confirmed from other sources. At the least, however, his work is always worth consulting since he does give facts which others have missed or ignored.

Two earlier, less accessible 'local' works, both unpublished, may also be mentioned here. The first, a biographical work also pertaining to Bursa and indeed constituting an important source for İsmail Beliğ's book, though the latter is rather more detailed, is the *Vefayātnāme*, or *Ravḍa-i evliyā* (the latter title is in fact a chronogram for the date of completion—1059/1649—for the purposes of which the final letter of *Rawḍa* must be read as 'h'), by Molla Shaykh Muḥammad b. Muṣṭafā b. 'Alī Dede, known as Bāldir-zāde (Baldırzade: d. 1060/1650), which comprises biographies of şeyhs, ulema and poets buried in Bursa.[23] The other, which relates to Edirne, is the *Anīs al-musāmirīn* (completed in 1046/1636–7, with later additions), by 'Abd al-Raḥmān b. Ḥasan, known as Ḥibrī (Hibrî: d. 1087/1676).[24] Wider in scope than Baldırzade's work, a history of the city rather than simply a biographical dictionary, Hibrî's book is divided into fourteen chapters covering such subjects as the conquest of Edirne, its public buildings, the towns in the vicinity, the şeyhs and ulema buried there and the kadıs who served there. If the biographies in the chapter on the şeyhs and ulema are, apart from those of several şeyhs, extremely short and not particularly informative, those in the chapter on the kadıs of Edirne are more

[21] The work, published in Bursa in 1302/1884–5, is hereafter referred to as 'İsmail Beliğ'. For what little is known of the author, see Fahir İz, 'Belīgh, Ismā'īl' in *EI*².

[22] İsmail Beliğ, 275.

[23] For the author and his work (the latter also hereafter referred to as 'Baldırzade'), see Uşakizade, 155–6; *OM*, i, 257–8. For the text of the work, Süleymaniye–Hacı Mahmud Efendi MS. 4613 (copied Jumādā I 1081/September 1670) has been used.

[24] See further V. L. Ménage, 'Ḥibrī' in *EI*², and the very thorough account of the author and his work in M. Tayyib Gökbilgin, 'Edirne hakkında yazılmış tarihler ve *Enîs-ül müsâmirîn*' in *Edirne*, 77–117 (hereafter 'Gökbilgin, "Tarihler"'). Kâtib Çelebi (*KZ*, i, 198–9) remarks that Hibrî was the first to write about Edirne and that he knows of no other than he to have written about any of the cities of Rum. For the text of the work, hereafter referred to as 'Hibrî', Millet (Süleymaniye)–Reşid Efendi MS. 616 (n.d.) has been consulted.

detailed, with Hibrî citing not only the occasional documentary evidence recorded by his fellow-townsman Mecdî but also, now and again, documents which he himself has seen. This chapter, which begins with Molla Hüsrev (f. 46a: see below, pp. 154 et sqq.), is brought down almost to the date of the author's own death, the date of the last recorded appointment being Dhu 'l-Ḳa'da 1085/February 1675 (f. 70b); and while it is certainly the most useful section of the book for present purposes, there is a certain amount of pertinent information of various sorts to be got from other parts of the work as well.

There exist in Ottoman Turkish two complete works and a large part of a third exclusively devoted to the biographies of the Müftis: the *Devḥa-i meshā'ikh-i kibār* of Mustaḳīm-zāde Sulaymān Sa'd al-Dīn Efendi (Müstakim-zade: 1131 to 1202 / 1719 to 1787–8);[25] the *Dawḥat al-mashā'ikh* of Rif'at Efendi (Rifat Efendi: d. 1293/1876);[26] and the *'Ilmiyye sālnāmesi* for the year 1334/1915–16. The part of this last work devoted to the Müftilik contains a short and rather sketchy history of the institution, entitled *Meshikhat-i İslāmiyye ta'rīkhçesi* by 'Alī Emīrī Efendi (Ali Emiri Efendi), followed by a series of biographies of the Müftis from the first, Molla Fenârî, to Muṣṭafā Khayrī Efendi (appointed 1332/1913–14), arranged in chronological order and in most cases including facsimiles of some of their fetvas. The latter section is the work of Aḥmad Refīḳ (Ahmed Refik).[27] The history contains

[25] For this work (hereafter 'Müstakimzade'), I have used Süleymaniye–Aşir Efendi MS. 251, dated 1199/1784, and Süleymaniye–Hafid Efendi MS. 241 (n.d., but entered Hafid Efendi's library in 1207/1792–3): reference will be made to the former unless otherwise noted. It must be pointed out that this and the two following sources cover a much longer period than that which forms the subject of this study and that the critical assessments of them pertain *only* to the parts relative to the period under discussion.

Though Uzunçarşılı (*İT*, 290) says that the work has been published, I have been unable to locate a printed copy. It seems possible that Uzunçarşılı has misunderstood the nature of Rifat Efendi's work (see the following note) and taken the lithograph of Rifat Efendi to be (except for the *zeyl*) by Müstakimzade, as have those responsible for the reprint of the lithograph as: Müstakimzade Süleyman Saadeddin, *Devhat ül-Meşayıh: Osmanlı Şeyh ül-İslâmlarının Biyografileri*, Istanbul, 1978.

[26] Istanbul, lithograph, n.d. (now reprinted as mentioned in the previous note, but wrongly attributed to Müstakimzade). It is referred to hereafter as 'Rifat Efendi'. In his preface (pp. 2–3), Rifat Efendi notes that because there has been no systematic collection of the biographies of the Müftis since the work of Müstakimzade (which he took by stages to 1200/1786) and Molla Munîb Efendi (who wrote a *zeyl* on Müstakimzade as far as the Müftilik of Molla Muṣṭafā 'Āshir Efendi (1213–15/1798–1800)), and because copies of these two works are rarely found, he has written not just a *zeyl* but a new work covering the complete history of the Müftilik, starting with Molla Fenârî and coming down to the current Müfti, Molla 'Umar Ḥusām al-Dīn (1280–3/1863–6). He acknowledges Mecdî, Müstakimzade and 'other well-known histories' as basic sources.

[27] The work was published in Istanbul in 1334/1915–16 and is hereafter referred to as *İS*. The history is on pp. 304–20, the biographies on pp. 322–641. One might also mention the listing of Müftis, with only the very shortest biographical notes, at the end of each volume of Danişmend. Vol. iv, 563–6, also contains a short but useful general history of the Müftilik.

much valuable material, particularly in relation to the use of the title 'Şeyhülislâm' and to the müftis of the earliest period of the Ottoman state, but is, unfortunately, neither very consistently nor very critically written. The author seems to have jotted down just such points of interest as occurred to him without making any real attempt to draw a consistent picture of the growth of the institution. He makes the point, for example, that there were müftis in the Ottoman state before the traditional date for the beginning of the institution of the Müftilik.[28] The list of biographies, however, admittedly by a different author, begins with Molla Fenârî, and there is no attempt to show, or reject, any relationship between Molla Fenârî and these earlier müftis.

The biographical material in these three works may be regarded as a first step toward the writing of a history of the institution of the Müftilik, since simply in the act of arranging the biographies in chronological order certain decisions of an historical nature have to be made: who, for example, was the first Müfti? where does this man or that man fit into the sequence? and so on. The list of the early Müftis given above—which is in fact extracted from Danişmend—is basically the work of Müstakimzade.[29] Though his book is certainly incorrect in many of its details and very probably in the general outline it presents, the author nonetheless displays in it the great virtue of recognizing some of the problems involved in creating such a list, even though he does not always go very far toward a solution of them. While he dismisses the claim that Molla Yegân held the Müftilik, he at least bothers to mention and discuss the claim.[30] On the vexed problem of when Abdülkerim became Müfti, he sets the pattern for later authors by placing his Müftilik after that of Molla Gürânî; but his article on Abdülkerim indicates his uncertainty about the placement, and he takes refuge in vagueness.[31]

No such uncertainty appears in the work of Rifat Efendi or in the *İlmiye salnamesi* which, in respect of the facts it gives, is largely derived from Rifat Efendi. In these works the Müftilik is presented as a continuously held post with neatly dovetailing periods of office. Molla Yegân is ignored, and Abdülkerim is fitted in after Molla Gürânî, with the necessary adjustments made. Rifat Efendi's accounts of the early Müftis are little more than

[28] *IS*, 315–16.

[29] This is not meant to imply that Müstakimzade's work represents the first effort to trace the history of the institution, since at least Kâtib Çelebi (d. 1067/1657) and Ḥüseyin Hezārfenn (Hezârfen: d. 1103/1691–2)—the latter largely following the former—had previously compiled lists of the Müftis. These differ in some important respects from that arrived at by Müstakimzade and those who follow him and are discussed below, pp. 137 et seqq.

[30] Müstakimzade, f. 3a. The note on Molla Yegân is included at the end of the article on Molla Fenârî. See below, pp. 98–9.

[31] 'He was also authorized to give fetvas (*ma'dhūn bi 'l-iftā'*) during this period.' (f. 4b.) 'Because, according to the account in the *Shaḳā'iḳ*, he was an adornment of the chain of Şeyhülislâms, he has been recorded in this place.' (f. 5a.) See also pp. 125–6 below.

abridgements of the biographical, as distinct from the anecdotal, sections of Mecdî,[32] and are almost identical verbally with Mecdî's accounts, although Rifat Efendi does occasionally borrow a passage from Müstakimzade. In several places he badly misreads Mecdî; and where he does depart from Mecdî's account he is often demonstrably wrong.[33] Where Mecdî's statements are in conflict with his own plan, he simply ignores them, not troubling to mention them, much less to discuss them.

Such then are the standard sources for the first step in the study of the institution of the Müftilik. The raw material for the biographies of the Müftis—from which judgements relating to many aspects of the institution, among them the order in which various men held the office and the importance of the office in relation to other offices, must be drawn—lies mainly in the work of Taşköprüzade and the translation of it by Mecdî. This raw material has been moulded, tentatively by Müstakimzade and more positively by Rifat Efendi and by Ahmed Refik in the *İlmiye salnamesi*, to create a 'traditional' listing of Müftis, a listing which perhaps in the first instance invites doubt of its validity by its very orderliness. In what follows, this traditional list as well as other traditions concerning the origins and development of the Müftilik will be scrutinized in the light of the information in the biographical sources described above; of the infrequent references to the Müftis in the early histories; and of the evidence of contemporary documents.[34]

Before leaving the subject of the sources it is perhaps worth saying a word or two about the nature and usefulness of the contemporary documents. Some few documents are directly relevant to the Müftilik, and their nature and importance will be discussed in the appropriate places. Rather more are indirectly useful in that they provide evidence which serves to confirm, refute or add to material in the biographical sources, a function important in itself and also insofar as it provides a means of testing the accuracy of those

[32] Many, but by no means all, of the articles in Taş and Mecdî are roughly divided into two sections, in one of which the facts of the subject's life are given, in the other of which anecdotes about him are related. The text of Rifat Efendi is concerned mainly with the former, though the anecdotes are frequently reproduced verbatim from Mecdî in marginal notes.

[33] See, for example, Chapter IV, n. 95.

[34] Three recent biographical works relating to the Müftilik may be mentioned here: Hasan Basri Erk, *Meşhur Türk hukukcuları*, Adana, 1961; Veli Ertan, *Tarihte Meşihat makamı, ilmiye sınıfı ve meşhur Şeyhülislâmlar*, Istanbul, 1969; and Dr. Abdülkadir Altunsu, *Osmanlı Şeyhülislâmları*, Ankara, 1972. All three works contain some information on the institution of the Müftilik and biographies of some (in the case of Altunsu, all) of the Müftis. Again it must be emphasized that the following comments apply to only a small proportion of these works, which cover the whole span of the Ottoman period. As regards that proportion, however, though none of the three is without interesting facts and ideas, none has much scholarly value. Very rarely does any of the authors attack—and only rarely does any even indicate—the manifold biographical problems; all are guilty of inaccuracies; and Erk and Ertan in particular fail to give sufficient information about their sources to allow substantiation of sometimes doubtful statements.

sources. Ömer Lûtfi Barkan, for example, has published transliterations of ten statements of income and expenditure (*muhasebe/bilânço*), most of them yearly, giving the income and disbursements of various pious foundations in Edirne and its environs, eight of which pertain to the late fifteenth century and two to the seventeenth century.[35] Amongst these is a *muhasebe* for the Dār al-Ḥadīth (Darülhadis) built by Murad II in Edirne, a *muhasebe* which is in fact a conflation of two statements, one for the seven-month period 1 Rabī' I 894 to the end of Ramaḍān of the same year (2 February to 27 August 1489), and one for the succeeding seventeen-month period 1 Shawwāl 894 to the end of Ṣafar 896 (28 August 1489 to 11 January 1491). The *muhasebe* contains the statement that on [13] Dhu 'l-Ḥijja 894 (7 November 1489) 'Ahmed Çelebi birâder-i Mevlânâ Sinan Paşa' became müderris at the Darülhadis.[36] The man in question seems fairly certain to be Aḥmad b. Khiḍr Bey (Ahmed b. Hızır Bey/Müfti Ahmed Paşa), whose brother, Sinān al-Dīn Yūsuf b. Khiḍr Bey (Molla Sinan Paşa), had served as Grand Vezir toward the end of the reign of Mehmed II.[37] The entry is of particular interest in that none of the biographical sources records his having taught at the Darülhadis; and it is valuable not only for the additional information it thus provides but also for the fact that, because of its very specific nature, it gives a precise reference point to which other steps in his career, and steps in the careers of others, can be related.

Similarly a document of a different kind helps to resolve a point of disagreement between Taşköprüzade and Mecdî. In his biography of Molla Farrukh Khalīfa al-Ḳarāmānī (Molla Ferruh), Taşköprüzade writes that he died in 964/1556–7. Mecdî translates this without comment in the body of his biography, but in his *tezyil* he quotes a chronogram for Molla Ferruh's death which works out to 963 and says that Taşköprüzade's date must accordingly be corrected. Additional proof that Mecdî is in fact correct is furnished by an entry in a *Mühimme Defteri*, dated 16 Jumādā II 963,

[35] Ömer Barkan, 'Edirne ve Civarındaki Bazı İmâret Tesislerinin Yıllık Muhasebe Bilânçoları' (hereafter 'Barkan, "Edirne"'), *Belgeler*, i (1964), 235–377.

[36] Ibid., 314–20, especially p. 316. The later and longer of the two statements had previously been published, apparently from the same source, in an abbreviated form in Ottoman script by M. Tayyib Gökbilgin in *XV–XVI asırlarda Edirne ve Paşa livası*, Istanbul, 1952 (hereafter 'Gökbilgin, *EPL*'), 210–13. The precise date (13 Dhu 'l-Ḥijja) is Gökbilgin's reading (p. 211), Barkan having left the day blank.

[37] For Müfti Ahmed Paşa, see Taş, i, 276–7; Mecdî, 197; İsmail Beliğ, 277–8; and for Molla Sinan Paşa, Taş, i, 270–5; Mecdî, 193–6; and especially İsmail Hakkı Uzunçarşılı, 'Hızır Bey oğlu Sinan Paşa'nın Vezir-i azamlığına dair çok kıymetli bir vesika', *Belleten*, xxvii (1963), 37–44. While one cannot totally preclude the possibility that the müderris is someone other than Ahmed b. Hızır Bey, the appointment is not inconsistent with his career, and the incidence of Ahmeds with brothers known as *Mevlânâ* Sinan *Paşa* cannot be very high.

concerning the appointment of Molla Şah Çelebi to the Sahn to fill the vacancy caused by the death of Molla Ferruh.[38]

One particularly rich source of documentary material for the period under consideration is M. Tayyib Gökbilgin's *Edirne ve Paşa livâsı*, in which use has been made of a wide range of documents, among the most valuable of which, for present purposes, are *waḳfiyya*s (*vakfiye*s), the documents setting forth the substance and aims of, and the conditions attached to, pious foundations (*evkaf*). Information regarding the *vakfiye*s is found in two forms in Gökbilgin's book: in some cases Gökbilgin has been able to give facsimiles of the *vakfiye*s themselves, in others he has made use of registers of *evkaf* such as, for example, a register of the *evkaf* in Edirne compiled in, or not long after, 976/1568–9.[39] Such registers generally contain, together with information about the current state of the *evkaf*, particulars of the original *vakfiye* such as its date and the name of the official effecting the registration (*tasjīl*/*tescil*) of the *vakfiye*. Often the signatory is a kadı or a kazasker, and the natural, and often correct, assumption is that the signature is contemporaneous with the document, thus providing evidence that the signatory held the office on the date of the *vakfiye*. It must be noted, however, that this is not always the case, particularly in regard to the signatures of kazaskers, and that some care must be exercised in the use of this sort of material. Among the *vakfiye*s of which facsimiles are given by Gökbilgin, for example, one, dated 28 Muḥarram 818/9 April 1415, with four *zeyl*s dated between 1416 and 1421, is headed with four *tawḳī'*, or *sharḥ* (*tevki*/*şerh*)—a brief formula, variously worded but generally indicating the conformity of the *vakfiye* to the *sharī'a* (şeriat)—one of which bears the signature of Mehmed b. Ferâmerz (Molla Hüsrev) as kazasker;[40] as will be shown, however, Molla Hüsrev did not become kazasker until 848/1444. Even more unnerving is one form of a *vakfiye* given in facsimile which is dated 2 Muḥarram 872/3 July 1467 (with a *zeyl* dated the end of Jumādā II 882/8 October 1477) and which bears only the signatures of a sixteenth-century kadı and an eighteenth-century kazasker.[41]

Where one can consult the *vakfiye* itself, it is often possible by one means

[38] Taş, ii, 121; Mecdî, 499–500; *Mühimme Defterleri*, ii, no. 600. In his biography of Molla Şah Çelebi, Atâ'î writes (p. 137): '[Şah Çelebi] came to the Sahn in place of Molla Ferruh, who died in Jumādā I 963.' The sentence is in fact ambiguous in respect of whether Molla Ferruh died, or Molla Şah Çelebi was appointed, in Jumādā I.

[39] See Gökbilgin, *EPL*, 538 (*evkaf defteri* no. 1070). For further discussion of a similar document, in this case pertaining to the *evkaf* of Istanbul, see the comments below on Ömer Lûtfi Barkan and Ekrem Hakkı Ayverdi (eds.), *İstanbul vakıfları tahrîr defteri, 953 (1546) târîhli*, Istanbul, 1970 (hereafter 'Barkan/Ayverdi').

[40] Gökbilgin, *EPL*, facsimiles, 235–44.

[41] or so Gökbilgin asserts: see ibid., facsimiles, 268–70. The kadı signs himself 'Îsā Efendi b. Ibrāhīm [Çandarlı-zāde], who, according to Mecdî (pp. 420–1), died in 950/1543–4 and therefore seems unlikely to have been a kadı as early as 882/1477. Mecdî does not mention 'Îsā's having held the kadılık of Filibe (Plovdiv), but this does not mean that he could not have held the post.

or another to identify the official effecting the original *tescil*. The third *zeyl* (dated 15 Rabī' II 823/29 April 1420) to the *vakfiye* mentioned above as having a *şerh* signed by Molla Hüsrev was actually written by 'Abd al-Karīm b. 'Abd al-Jabbār: *şerh* signed by him appear at the head of the original *vakfiye* and at the head of two other *zeyl*s.[42] Further, the wording of 'Abd al-Karīm's *şerh* at the head of the *vakfiye*, with its use of the word *ḥakamtu*, indicates that it was probably he who performed the original *tescil*: 'The contents of this document have been corroborated and confirmed to my satisfaction; and I have judged it to be legally valid, with a firm, binding judgment.'[43] The wording of Molla Hüsrev's *şerh* is not quite so specific: 'This document has been laid before me. I have studied it with the greatest care and have found it to be in [strict] accordance with the true *shar'* and the proper way: wherefore I have accepted it and approved it.'[44]

In using original *vakfiye*s, then, which often have more than one *şerh*, one has to recognize that only one of them is likely to represent the original *tescil* and that the others have in all probability been added at a later date. The presence of a number of *şerh* on a given *vakfiye*, signed by various officials at various times, suggests one possible reason for the occasional problems discovered by close analysis of the abstracts of the particulars of *vakfiye*s recorded in the *evkaf* registers. Analysis of the signatures and dates given in these bears out, on the whole, the assumption that the signature represents the original *tescil* and is therefore reasonably contemporaneous with the document, thus providing a basis for concluding that such and such a man held the kadılık of Edirne, for example, on or shortly after such and such a date. But analysis of this kind also discloses some anomalous situations. There exist, for example, notations of a series of *vakfiye*s bearing the signature of the kadı of Edirne Muḥammad b. Bāyazīd (Mehmed b. Bayezid), ranging in date from 870/1465 to 899/1493.[45] Interspersed amongst these, however, at various dates between 870 and 899, are

[42] See also Gökbilgin, *EPL*, 189, 199, 202, 266, 270 for notes from the *evkaf* register of 976, mentioned above, of other *vakfiye*s of about the same date on which his signature appears. In only one instance, and that a note from the *evkaf* register, is his office given, namely kadı of Edirne (p. 189). There seems to be no account of this man in Taş or Mecdî, but Gökbilgin, in a later article ('Edirne şehrinin kurucuları' in *Edirne*, 161–78), claims that his gravestone, dated 819 (1416), is the oldest in Edirne (p. 162): how this is to be reconciled with the apparently ample documentary evidence that he lived well beyond that date is not clear.

[43] ما تضمنه هذا السفر ثبت عندى وتحقق [؟] لدى وإنى حكمت بصحته حكمًا صحيحًا شرعيًا

[44] عرض على هذا السفر فطالعته من قوادمه إلى خوافيه فوجدته على [وجه] الشرع القويم والنهج المستقيم فقبلته وارتضيته

[45] See (in chronological order) Gökbilgin, *EPL*, 350, 353, 346, 349, 355, 354, 350, 355, 452–3, 465, 464. All save that on pp. 452–3 are from the *evkaf* register of 976.

documents signed by no fewer than eight other kadıs of Edirne in such a way that if one were to hold strictly to the contemporaneity of the signatures and the documents, one could only conclude that Mehmed b. Bayezid had been appointed to the kadılık of Edirne at least six different times.[46] The compiler of the index has tried to simplify the situation somewhat by assuming the existence of two different men by the name of Mehmed b. Bayezid, one holding the kadılık from 871 to 877 and one from 890 to 899. The documents signed by him do fall into these two periods,[47] but in each period there are documents signed by other kadıs of Edirne as well. There is, further, no apparent evidence to justify the conclusion that there were two different individuals of this name who held the kadılık of Edirne during the last thirty years of the ninth/fifteenth century. Unfortunately the sole biographical note on this man, in Mecdî, contains merely the fact that *tamassukāt* (*temessükât*) of his, dated 889/1484, have been seen.[48] This is of interest in that the only document in Gökbilgin's book signed by Mehmed b. Bayezid in which the signature seems certain to be contemporaneous with the document is one dated the first part of Rabī' II 890/17 April 1485. Here the whole *vakfiye* is quoted, beginning with a judgment on its validity (*wa ḥakamtu bi-ṣiḥḥatihi wa luzūmihi fī khuṣūṣihi wa 'umūmihi*) signed by Mehmed b. Bayezid (in this case '*al-Mawlā*' of Edirne) and ending with the statement that the *ḥukm*, the *taḳrīr*, the *ishhād* and the *taḥrīr* all took place on the date above-mentioned.[49]

What does seem a possible explanation for this sort of difficulty, however, rests on the fact that both kazaskers and kadıs were called upon to take action of one kind or another on *vakfiye*s predating their own terms of office, as is clearly the case, for example, with the *vakfiye* bearing the *şerh* of Molla Hüsrev, referred to above: it thus seems not unlikely that, on occasion, these essentially confirmatory signatures made their way for one reason or another into the registers of *evkaf*. From a purely practical point of view the signatures of kazaskers are particularly suspect, probably because the kazaskers would, in the normal course of things, be rather less often called upon than kadıs to perform the original *tescil* and perhaps rather more often called upon to settle difficulties arising later. But even the notations of the signatures of kadıs must be treated with some care and subjected, where possible, to the test of other evidence about a man's career. They would not seem in themselves to be absolutely certain evidence of a man's holding an office on the date of the document, although

[46] See, for example, (in chronological order) ibid., 348, 355, 353, 353, 356, 345, 339, 97, 460, 121, 124.

[47] although 871–7 should be 870–8: see ibid., 350, 355.

[48] Mecdî, 349: this is a case in which Mecdî includes a biography not found in Taş.

[49] Gökbilgin, *EPL*, 452–3.

they do, of course, provide a definite *terminus post quem* for his holding the office.[50]

Analysis of another rich vein of such material recently published by Barkan and Ayverdi, namely *İstanbul vakıfları tahrîr defteri, 953 (1546) târîhli*,[51] helps to define even more closely the limits of usefulness of this sort of material from a biographical point of view. The document edited in this work, which also contains a lengthy and valuable introduction by the editors on various aspects of the *evkaf* system, is a register made in or shortly after 953/1546 of all the pious foundations in Istanbul with the exception of *evkaf* established by the sultans; of certain mosques whose personnel were paid from the state treasury; and of certain foundations inadvertently omitted. An invaluable source for the study of the *evkaf* institution, it also provides the same sort of incidental biographical information as Gökbilgin's work in that the signature of the official registering the original *vakfiye*—not always identified by title, but sometimes identified as a kadı (in fact, usually but not invariably the kadı of Istanbul), a kazasker (normally the Rumeli kazasker), a *nā'ib* (*naib*), a *ḳassām* (*kassam*), or a *mufattish* (*müfettiş*)—and the date of registration are usually mentioned. The *evkaf* recorded, which number 2,517 and date from 861/1457 to 953/1546, cover much of the period under discussion and provide useful evidence at several of the more vexed points in the history of the Müftilik.

To say, however, as the editors do at the head of the index of kadıs and *naib*s that the dates given at the end of the lists of references to documents signed by a given official show the period of office of that official[52] is certainly to oversimplify the case. There are, on the simplest level, a fair number of straightforward errors both in the text and the index, a point which takes on added meaning when one reflects that in using the published registers one is at two removes, and in some cases possibly more, from the original *vakfiye*s, with the consequent opportunities for errors of all sorts at each stage of the process. In addition, the index is in at least one respect apt to mislead in that there has been no attempt to use even the most elementary biographical information to make useful distinctions. Thus a long list of references to documents signed by Ebüssu'ûd Efendi (here 'Ebussuud (Mevlânâ)') is followed by the dates 940–52, a method of listing which fails to reveal the fact that for roughly the first four years he held the office of kadı of

[50] See further, Halil Sahillioğlu, 'Ramazanoğullarından Davud Bey Oğlu Mahmud Bey Vakfiyesiyle Fağfur Paşa Oğlu Ali Bey Paşa Vakfiyesi', *Vakıflar Dergisi*, x (1973), 136–60. His interesting and informative article contains one important unresolved conflict of fact: having argued persuasively that the first *vakfiye* should be dated not earlier than 909, he identifies the signatory of one *şerh*, the Anadolu kazasker Ali b. Yusuf, as Molla Fenârî's grandson (see below, pp. 21, 263–5), who died not later than 903, the date Sahillioğlu himself gives.

[51] See above, n. 39.

[52] Barkan/Ayverdi, p. 467.

Istanbul, for the last eight that of Rumeli kazasker.[53] Similarly the listings under 'Mehmed b. Aliyy'ül-Fenârî' almost certainly relate to two different men, each in two different capacities.[54] To demonstrate at least this latter point would perhaps be beyond what one could reasonably expect from an index, and one mentions the matter merely to show that the value of the index is chiefly as an index and little more.

The evidence of the signatures on the *vakfiyes* in the text tends to support the conclusion reached above in regard to Gökbilgin's book, namely that the great majority of the signatures represent the original *tescil* and therefore provide evidence that the signatory held a given office at the date of the document. Anomalies and uncertainties do exist, however, and the fact of their existence again suggests the need for a certain amount of care in the use of this material. Some of the anomalies appear to be no more than misprints: thus a document signed by Ebüssu'ûd Efendi in 924—a date which would be a little difficult to explain in the context of his career—is included in the index in a series dated 940–52, which suggests that the digits in the text have simply been transposed; similarly, a document signed by 'Mevlânâ Mehmed b. Kutbüddin' in 905 is, in the index, included in a series dated 942–45, which suggests that a '4' has been inadvertently omitted from the text at some stage.[55] Harder to explain, however, are, for example, a document signed by 'Mevlânâ Mustafa b. Evhadüddin'ül-Yarhisârî' in 870, since the great bulk of documents signed by him (as kadı of Istanbul) date from 907–11;[56] one signed by Sa'dî Çelebi (here, 'Mevlânâ Sa'di b. İsa') (kadı of Istanbul, 930–40) and dated 890;[57] and two signed by Mehmed b. Kutbüddin (kadı of Istanbul, 944–5) dating from 872 and 882.[58] Three explanations suggest themselves for these anomalies, each more or less likely in any given case: first, that one is dealing with two men of the same name; second, that one is dealing with the same man but in different capacities—and here one may note again a point made earlier, that a variety of officials were empowered to sign such documents; and, finally, as suggested in the discussion of Gökbilgin's book above, that a kadı (or any other competent official) might be called upon to register or confirm a document of an earlier period, his signature then for one reason or another becoming the one recorded in the register.[59]

[53] Loc. cit. (Index II), s.v., and below, pp. 277–8.

[54] Loc. cit., s.v., and below, pp. 267–8.

[55] Barkan/Ayverdi, docs. 616, 2156.

[56] Ibid., doc. 1050; Index II, s. v.; Taş, i, 314–16; Mecdî, 223.

[57] Barkan/Ayverdi, doc. 303, and below, pp. 241–2.

[58] Ibid., docs. 126, 125; Taş, ii, 47–8; Mecdî, 448–9. The dates of his kadılık are not given in Taş or Mecdî but are deducible from those of his predecessor, Ebüssu'ûd Efendi (see below, pp. 277–8), and of his successor, Molla Aḥmad b. Muḥammad ... al-Sāmīsūnī (Samsunizade: Atâ'î, 145).

[59] Doc. 422 in Barkan/Ayverdi provides an interesting history of a *wakf* (*vakıf*) founded in 906, recounting several legal actions taken in regard to it between then and 948.

One further point may be made, namely that the documents are not always as useful as one might wish, partly because it is relatively rare to find a record of a man's name and office which is totally unambiguous and partly because there are in many cases, particularly in the earlier part of the period covered by the *tahrir defteri*, too few documents signed by any one individual to enable one to delimit with certainty his term of office. One must, of course, hasten to say that much can be deduced with certainty—and much more with a reasonable presumption of accuracy—from the material contained in the *tahrir defteri*, particularly when there is a large number of *vakfiye*s signed by one easily identifiable individual. Such is the case with Sa'dî Çelebi, whose term of office as kadı of Istanbul can be fixed with the aid of the *vakfiye*s to the months of his appointment and dismissal.[60] More difficult problems are encountered, however, when one tries, for example, to trace the sequence of the holders of the office of Rumeli kazasker in the early years of the reign of Bayezid II (1481–1512); and one must emphasize that the aim in doing so here is not to reach or defend any particular conclusion but simply to illustrate the sorts of difficulties which arise.

In fact, very early information about the holders of the kazaskerliks is to be found in a literary source, the *Hasht Bihisht* of Idrīs Bidlīsī (İdris (Bitlisî): d. 926/1520), where the author, when dealing with the kazaskers as part of a section concerning the members of the *dīwān* (divan), includes brief biographies of some of those who had previously held the office.[61] Given the way in which İdris introduces this part, it seems unlikely that he intended it to be either a systematic or a complete account of the succession of Rumeli kazaskers in the years to 911, though, perhaps incidentally, it gives the appearance of having become one. His reliability as a source is also called into question by the fact that his account contains one serious internal

[60] See below, pp. 241–3.

[61] İdris, ff. 616b et sqq. From the fact that İdris also gives biographies of the current kazaskers, the Rumeli kazasker, Molla 'Abd al-Raḥmān (Müeyyedzade: see below, Chapter V, n. 104), and the kazasker for Anadolu (Anatolia), Molla Badr al-Dīn Maḥmūd (Taş, i, 463–4; Mecdî, 323–4), who, he says, succeeded to their respective offices on the death of Molla Muḥammad b. Muṣṭafā b. al-Ḥājj Ḥasan (Hacıhasanzade: Taş, i, 248–9; Mecdî, 179–80) in Rabī' I 911/August 1505 (f. 619a), it is clear that this part of the work was written after that date (but probably only shortly after, in the light of the facts given by V. L. Ménage ('Bidlīsī' in *EI*[2]) about the composition of the work).

İdris also gives a good bit of information about holders of the Anadolu kazaskerlik, which is referred to only incidentally in what follows in order to keep an already complicated discussion within bounds. It must be noted, however, that his account calls into question the view widely held by the later sources that Hacıhasanzade was first Anadolu, then Rumeli kazasker uninterruptedly from 886 to 911 (see just below in the text and, for example, below, Chapter II, p. 58), İdris asserting that he became Anadolu kazasker only in 893 and Rumeli kazasker in 897 (f. 617b). (Though this is the inescapable logic of İdris's account taken as a whole, it must be noted that he confuses the issue by including a bald statement to the effect that Hacıhasanzade was in that office (? – the Anadolu kazaskerlik?) from 887 to 911, a statement which, taken alone, may have constituted the source for, or contributed to, the view of the later sources.)

inconsistency and that these few folios on the ulema, which contain relatively few specific facts, have one (probable) important error of fact, namely the date 895 which is given for the death of Molla Gürânî (f. 618a) and which, if not demonstrably wrong, has at the least been ignored by all the later authors in favour of 893. Nevertheless, İdris is close to the early years of Bayezid II's reign in time, if not, as it were, in space—he came to the Ottoman lands only in 907/1501–2—and due weight must therefore be given to his statements.

According to İdris, Molla Muşliḥ al-Dīn [Muṣṭafā al-Ḳasṭallānī], known as Molla Kestelli, held the Rumeli kazaskerlik at the death of Mehmed II and was confirmed in that office by Bayezid II (acceded 22 Rabī' I 886/21 May 1481), subsequently being removed in 890 (and dying in 901). He was succeeded by [Jandarli-zāde] Ibrāhīm Pasha b. Khalīl Pasha (Çandarlı İbrahim Paşa), who held the kazaskerlik until his elevation to the office of vezir in 891. It is at this point that İdris introduces a certain amount of confusion by saying first that İbrahim Paşa was succeeded by [Molla Muḥammad b. Beğlik (?), known as] Molla Vildân, who died in Rabī' I 893, but then that İbrahim Paşa was succeeded by Molla 'Alā' al-Dīn 'Alī [b. Yūsuf Bālī b. Shams al-Dīn al-] Fenārī (d. 901 (?): Ali b. Yusuf el-Fenârî), who had been Anadolu kazasker since Dhu 'l-Ḥijja 888. Following on from this latter version, İdris asserts that Ali b. Yusuf continued as Rumeli kazasker until dismissed in Rabī' I 893, when he was succeeded by Molla Vildân (who is now said to have become Anadolu kazasker in 891), who died shortly thereafter, to be succeeded by 'Molla 'Alī Fenārī, known as Fenârî Alisi'. When Fenârî Alisi died in 897, he was succeeded by Hacıhasanzade, who remained in the office until his own death in Rabī' I 911.[62]

Turning now to the standard biographical sources, one finds scattered through the biographies of various scholars of the period information which allows one on the one hand to give a rather broader picture of the history of the office and, on the other, to piece together (particularly from Mecdî) a list of the sort found in İdris. According to the *Shaḳā'iḳ*,[63] until the last days of the reign of Mehmed II (d. 886/1481) the kazaskerlik had been a single, undivided office. In 886, essentially because of personal jealousy on the part of the Grand Vezir Karamanî Mehmed Paşa toward the kazasker Molla Kestelli, the former contrived to persuade Mehmed II to divide the office into two, with one kazasker for Rumeli and one for Anadolu (Anatolia): Molla Kestelli was retained in the former post and Hacıhasanzade, then kadı of Istanbul, was appointed to the latter. In Taşköprüzade's account, when Bayezid II ascended the throne (22 Rabī' I 886) Molla Kestelli was removed from the Rumeli kazaskerlik and replaced by Çandarlı İbrahim Paşa. The

[62] For Molla Kestelli, see Taş, i, 225–31; Mecdî, 161–6; for Çandarlı İbrahim Paşa, Taş, i, 310–14; Mecdî, 220–3; for Molla Vildân, Taş, i, 304–6; Mecdî, 215–17; for Ali b. Yusuf el-Fenârî, Taş, i, 280–7; Mecdî, 199–204; and for Fenârî Alisi—not a descendent of Molla Fenârî, but so-called because of his association (*intisāb*) with the family—Taş, i, 321; Mecdî, 227–8 (and Sa'deddin, ii, 515, where he is identified as Fenârî Alisi).

[63] See especially Taş, i, 225–7; Mecdî, 162–3 (in the biography of Molla Kestelli).

phrase 'when [such and such a sultan] ascended the throne' is one by no means to be taken too literally in Taşköprüzade, however, and Mecdî, presumably relying upon İdris, tacks on 'in the year 890' to his translation of the phrase without any apparent sense of contradiction.[64] The next pertinent facts also come from Mecdî. In his *tezyil* to the biography of Molla Vildân,[65] he writes that it is noted in two histories (one the *Hasht Bihisht* of İdris) that Molla Vildân became Rumeli kazasker in 891 when [Çandarlı] İbrahim Paşa became vezir[66] and that he died in Rabī' I 893. As Mecdî points out, this is contrary to what Taşköprüzade says about this part of Molla Vildân's career, merely that he became Anadolu kazasker in the reign of Bayezid II. To Taşköprüzade's account of the relevant part of Hacıhasanzade's career, that Bayezid II, on his accession, confirmed him as Anadolu kazasker and then made him Rumeli kazasker, in which post he remained until his death in 911, Mecdî adds the statement that this last appointment was made in 893.[67]

Taşköprüzade's biographies, then, are in general too vague to offer much chance of deducing a list, but Mecdî gives an apparently consistent account, enabling one to formulate at least a tentative list of the Rumeli kazaskers of the period: Molla Kestelli from at least 886 to 890; Çandarlı İbrahim Paşa from 890 to (Şafar) 891; Molla Vildân from 891 to 893; and Hacıhasanzade from 893 to 911. The list thus derived from Mecdî clearly relies heavily on İdris but conflicts with the latter's construction of the facts in leaving out of account altogether Fenârî Alisi[68] and in implicitly ignoring the claims of Ali b. Yusuf el-Fenârî, though Mecdî does in fact, at the appropriate place, translate without comment Taşköprüzade's statement that Ali b. Yusuf el-Fenârî held the Rumeli kazaskerlik for eight years in the reign of Bayezid II.[69] Neither Taşköprüzade nor Mecdî attempts to date his period of office (beyond, again, the vague statement that he was appointed 'when Bayezid II ascended the throne')—and İdris is, of course, led into an apparent

[64] Taş, i, 227; Mecdî, 163. The phrase '*wa lamma jalasa al-Sulṭān (X) 'alā sarīr al-salṭana* ...' can, of course, have the more general sense simply of 'when (X) was on the throne ...', but the contexts in which it is found in Taş almost invariably suggest that it is meant in the more specific sense, and it is thus that Mecdî usually understands it.

[65] Mecdî, 217.

[66] According to Sa'deddin (ii, 217), Çandarlı İbrahim Paşa became vezir in Şafar 891/February 1486. See further, V. L. Ménage, 'Djandarlī' in *EI*[2].

[67] Taş, i, 248; Mecdî, 180. A marginal note in Mecdî gives two chronograms which, it says, work out to 893 (though the first appears to work out to 903) and commemorate Hacıhasanzade's becoming Rumeli kazasker. While such may well be the case, it must be noted that there is no internal evidence in either to connect them with Hacıhasanzade. Cf. above, n. 61, for İdris's view that Hacıhasanzade became Anadolu kazasker in 893.

[68] Taşköprüzade and Mecdî (as above, n. 62) say of Fenârî Alisi's higher appointments that he became a müderris at the Sahn, then kadı of Bursa and then Anadolu kazasker, from which post he was removed with a pension of 80 akçe, subsequently dying in the reign of Bayezid II.

[69] Taş, i, 281; Mecdî, 200.

contradiction in attempting to do so (and in any case does not envisage so long a term of office)—but Kâtib Çelebi dates it, by implication, from 893 to 900.[70] Indeed, before leaving the biographical sources one might note Kâtib Çelebi's list of Rumeli kazaskers as being one of the earlier attempts consciously to establish a consistent sequence of the holders of a given office in the early period of the state. According to Kâtib Çelebi—the implications of his method of listing are made explicit in the bracketed passages—Molla Kestelli was removed in 886, dying in 901; Çandarlı İbrahim Paşa was transferred to the office of vezir in 888 (the implication of which is that he held the Rumeli kazaskerlik from 886 to 888); 'Muḥyi 'l-Dīn Ibn Manisa' (Molla Muḥyi 'l-Dīn Muḥammad, known as İbn Manisa) received the office for the second time [in 888] and died in 891; Molla Vildân Mehmed was [appointed in 891 and] removed in 893; Ali b. Yusuf el-Fenârî was [appointed in 893 and] removed in 900; and Hacıhasanzade [appointed in 900] died in 911.[71] The only scholar listed who has not previously been discussed is İbn Manisa, who had held the kazaskerlik before the division of the office and who was, according to Taşköprüzade and Mecdî, made kazasker—neither author specifies which—'on the accession of Bayezid II', in which post he died at an unspecified date.[72] If Kâtib Çelebi is right that it was the Rumeli kazaskerlik to which İbn Manisa was appointed, the latter represents another holder of the office unaccounted for by Mecdî's (or İdris's) statements.

To turn now to the evidence of the documents, one finds that they indicate that the situation may not be quite as simple as the accounts of İdris or Mecdî, or Kâtib Çelebi's list, suggest, but they do not by themselves provide a thoroughly satisfactory solution to the problems raised. In regard to Çandarlı İbrahim Paşa, for example, there is, first, in Barkan/Ayverdi a *vakfiye* dated mid-Sha'bān 886 and signed by a *kassam* 'on behalf of İbrahim Çelebi, the kazasker', as well as two others, dated early Muḥarram 887 and the first of Ṣafar 887, signed simply '(Mevlânâ) İbrahim b. Halil'.[73] The next appearances of his name in the sources to hand are, in turn, a passing reference to 'İbrahim Çelebi, kazasker' in a Bursa court record dated 1 Rajab 889, which seems to provide incontrovertible evidence that he was—or possibly, had been—(a) kazasker at that date; a reference in Gökbilgin to a document dated 890 in which mention is made of 'the kazasker

[70] Kâtib Çelebi, *Takvim*, 187. İsmail Beliğ gives the dates 894 to 900, in which he is followed by J. R. Walsh, 'Fenārī-zāde' in *EI*².

[71] For his list of kazaskers, see Kâtib Çelebi, *Takvim*, 186 et sqq. The same work contains, *inter alia*, a list of Müftis, which will be discussed below, pp. 137 et sqq.; of Anadolu kazaskers; of the sultans' Hocas; of the holders of the office of *Naḳīb al-ashrāf* (nakibüleşraf); and of kadıs of Istanbul. All the lists begin with what is thought to be the beginning of the particular office and were taken by Kâtib Çelebi to late 1058/1648, then continued by means of several *zeyls* to the date of publication.

[72] Taş, i, 293–6; Mecdî, 208–10.

[73] Barkan/Ayverdi, docs. 2119, 2120, 1646.

Çandarlı-zâde İbrahim Paşa'; and his signature in the form 'Mevlânâ İbrahim b. Halil' on a *vakfiye* in Barkan/Ayverdi, dated mid-Muḥarram 891.[74] In the years 887 to 890, however, one finds in Barkan/Ayverdi, first, a *vakfiye* signed by 'Mevlânâ 'Ali b. Yusuf'ül-Fenârî' in late Rabīʿ I 889,[75] and then a string of seven *vakfiyes* running from Jumādā I 889 to Jumādā II 890, signed by 'Mevlânâ Mustafa b. Mehmed',[76] who could conceivably be Molla Kestelli. One cannot overemphasize the fragility of the case for its being so, but particular difficulty arises in regard to Molla Kestelli since none of the biographical sources consulted gives his father's name, while on the other hand no documentary source seen by the present author contains any reference which suggests how Molla Kestelli signed himself.[77] Beyond this, of course, there is no certainty that if the man in question is indeed Molla Kestelli, he was acting in the capacity of Rumeli kazasker. But it is, equally, not inconceivable that the signature is that of Molla Kestelli and that he was acting as kazasker of Rumeli.

With regard to Kâtib Çelebi's implicit assertion that İbn Manisa held the office of Rumeli kazasker between 888 and 891, in which latter year he died, there is no direct evidence to confirm or refute his having held the office in those years, but there is documentary evidence which shows that İbn Manisa died later than 891 and probably in 900. First, in an *ijmāl muḥāsaba* (*icmal muhasebesi*) for the *evkaf* of Mehmed II in Istanbul, including the Sahn medreses, for the year 1 Dhu 'l-Ḳaʿda 894 to the end of Shawwāl 895 (26 September 1489 to 15 September 1490) one finds that Molla Ali Çelebi, son of Yegân, is müderris at the first medrese of the Sahn 'in place of Muhyiddin Çelebi Manisa'î', the probable implication of which is that the change took place at the beginning of the period covered by the *muhasebe* and that İbn Manisa was therefore at the Sahn from an unspecified date until 1 Dhu 'l-Ḳaʿda 894.[78] Second, İbn Manisa's grave is known, identified by an explicit inscription on the footstone, with an equally explicit inscription on the headstone containing a chronogram for his death which works out to 900.[79]

The next documents of interest are a *vakfiye* signed on the first of Rabīʿ II 891 by 'Mevlânâ Ali b. Yusuf'ül-Fenârî' and one signed in the first decade

[74] See respectively doc. 63 in Halil İnalcık, 'Osmanlı İdare, Sosyal ve Ekonomik Tarihiyle İlgili Belgeler: Bursa Kadı Sicillerinden Seçmeler', *Belgeler*, x (1980–1), 1–91; Gökbilgin, *EPL*, 75; Barkan/Ayverdi, doc. 272.

[75] Barkan/Ayverdi, doc. 915. The *vakfiye* is that of Molla Gürânî, the then Müfti.

[76] Ibid., docs. 2040, 1377, 1052, 2296, 1383, 1261, 600. Note also doc. 1461, signed by 'Mevlânâ Mustafa b. Mehmed' and dated mid-Rabīʿ II 885 (which is not inconsistent with Molla Kestelli's career) in the text but included in the index in the series dated 889–90.

[77] For a reference in an early document to Molla Kestelli, see below, p. 149.

[78] Gökbilgin, *EPL*, 304.

[79] F. İsmail Âyânoğlu, 'Fatih Devri Ricali Mezar Taşları ve Kitabeleri', *Vakıflar Dergisi*, iv (1958), 193–208, especially p. 204, and plates 60, 61.

of the same month by 'Mevlânâ Mehmed b. Beğlik'.[80] Following this, one finds in a statement of income and expenditure from another source reference to judgments given by 'Mevlânâ Alâüddin, kazasker of Rumeli' which led to action being taken on 6 Shawwāl 895.[81] Finally, there are several *vakfiye*s signed by Hacıhasanzade as kazasker, the earliest few of which are dated Ramaḍān 897 and Rajab 899, with reference also in a *vakfiye* dated Dhu 'l-Ḳa'da 898 to the fact that he was kazasker at that time.[82] Though it is in no instance specified which kazaskerlik he held, matters having to do with *evkaf* in Istanbul and Edirne which involved a kazasker would normally fall within the purview of the kazasker of Rumeli rather than that of Anadolu.

As mentioned previously, the aim in this particular discussion is not to create a list of the Rumeli kazaskers of the period but rather, by setting forth the evidence from the literary sources on the one hand and that from the documentary sources on the other, simply to indicate the nature of the problems which would arise in trying to do so. The possibilities are many, and to argue them is beyond the scope of the present work. But one can say that while some of the possibilities are raised to probabilities with the aid of the documentary material—a case could be made, for example, that Çandarlı İbrahim Paşa held the Rumeli kazaskerlik from a few months after Bayezid II's accession (Rabī' I 886) until 891, while equally, it seems likely that İdris is right, and the later sources wrong, about the date of Hacıhasanzade's accession to the Rumeli kazaskerlik—certainties are, unfortunately, few and far between.

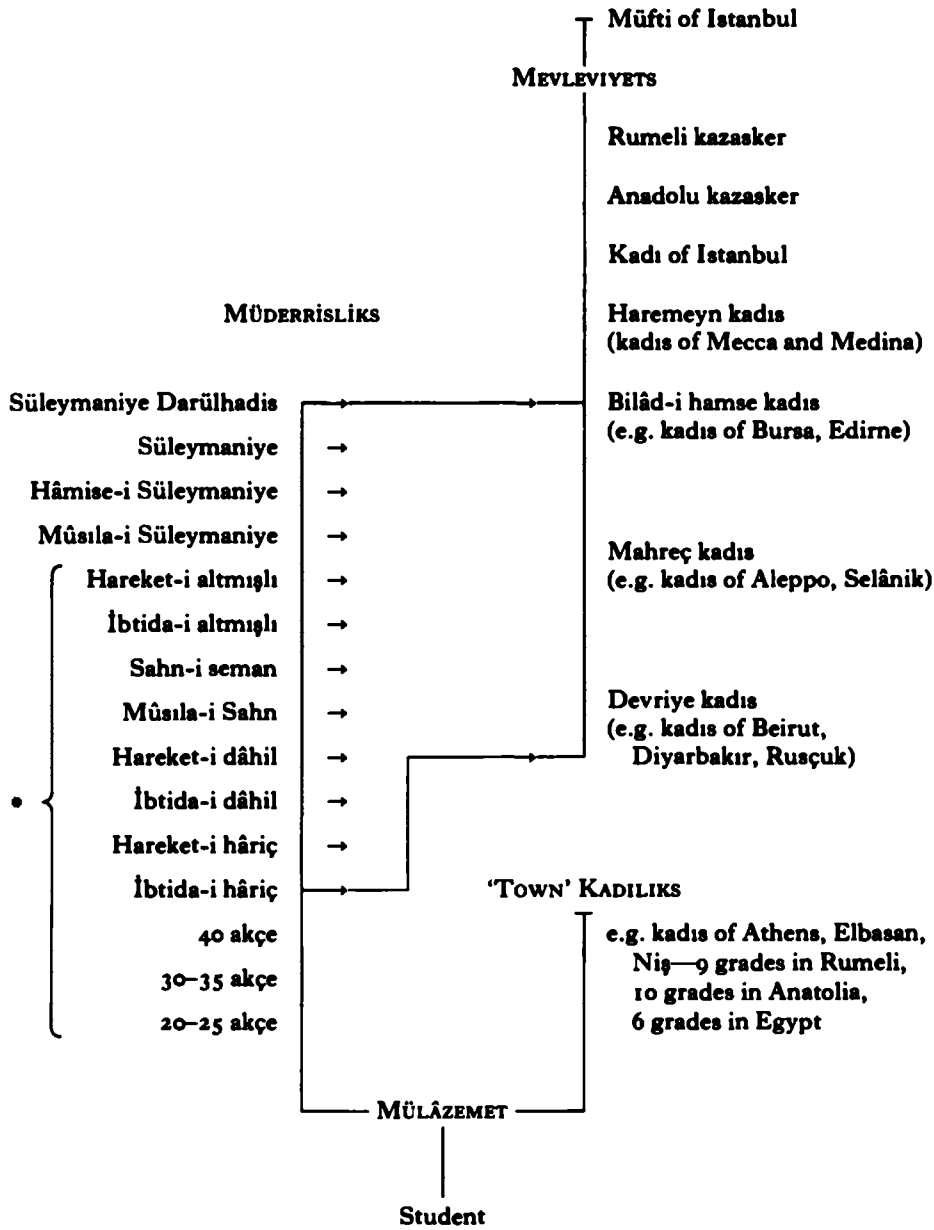
[80] Barkan/Ayverdi, doc. 580; doc. 147. In regard to the latter—Molla Vildân—see also a reference in a register of *evkaf* in Bursa, drawn up in the time of Kanunî Süleyman, to documents signed by him as kadı of Istanbul in 890/1485 (Ömer Lûtfi Barkan, 'Osmanlı İmparatorluğunda Bir İskân ve Kolonizasyon Metodu Olarak Vakıflar ve Temlikler', *Vakıflar Dergisi*, ii (1942), 306b). Neither Taşköprüzade nor Mecdî mentions that he held the kadılık of Istanbul, and it is perfectly possible that it was as such—and not as Rumeli kazasker—that he signed the document dated Rabī' II 891. One might also note that doc. 108 in the article by İnalcık cited in n. 74, a document dated 17 Muḥarram 890 (3 February 1485) shows Molla Vildân then to have been kadı of Bursa.

[81] Ömer Barkan, '894 (1488/1489) yılı Cizyesinin Tahsilâtına ait Muhasebe Bilânçoları', *Belgeler*, i (1964), 55. The dissimilarity of the form of this signature from what appears to be the usual form of Alib. Yusuf el-Fenârî's signature lends a certain credibility to İdris's assertion that it was Fenârî Alisi who held the office during this period.

[82] Gökbilgin, *EPL*, 468, 423 (see also Barkan/Ayverdi, doc. 450), 361–2.

The Ottoman Learned Hierarchy

Schematic representation of the Ottoman learned hierarchy, showing the grades which existed by the later eighteenth century. The arrows indicate the range within which müderrises normally received their first mevleviyets.



• Müftiliks of provincial cities and towns (e.g. Amasya, Aleppo, Manisa, Budin), normally held in conjunction with a müderrislik in the indicated range.

CHAPTER TWO

The Structure of the Ottoman Learned Hierarchy to 1600*

Before turning to a detailed discussion of the lives of the Müftis, it will be useful to examine in some detail the development of the learned hierarchy in the Ottoman state, since it is only against this background that the development of the institution of the Müftilik can be properly appreciated. The highly organized learned career which obtained in the empire from the late sixteenth century onward has been described by a number of authors, western and Turkish, most recently by Gibb and Bowen in their *Islamic Society and the West* and by Uzunçarşılı in his *İlmiye teşkilâtı*.[1] Relatively little attention has been paid by any of the sources, however, to the early development of the hierarchy, that is, in the period to the death of Süleyman (974/1566),[2] a fact which, coupled with the striking, not to say hypnotizing, effect of the later hierarchy, has tended in a variety of ways to mislead writers on subjects connected with the ulema.

On one level, for example, one might cite the case of Molla Hüsrev's appointment as kadı of Edirne. It will be shown in a later chapter that there seems to be no evidence to indicate that he held that post before holding the kazaskerlik, while there is positive evidence that he held it after holding the kazaskerlik. In the light of this fact it seems possible to suggest that those authors who subscribe to the former view do so because in later times it would have been only in the rarest of circumstances that one would have held the kadılık after the kazaskerlik. It seems likely, in short, that they have erred through applying principles which are valid for a later period but were not yet operative in the time of Molla Hüsrev.

On a deeper level, it will be shown that the case for the traditional view of

* Parts of this chapter have appeared in 'Some Observations on the Development of the Ottoman Learned Hierarchy' in Nikki R. Keddie (ed.), *Scholars, Saints, and Sufis*, University of California Press, 1972, 17–32; and in 'The Altered Nature and Role of the Ulema' in Thomas Naff and Roger Owen (eds.), *Studies in Eighteenth Century Islamic History*, Southern Illinois University Press, 1977, 277–87.

[1] For a concise and easily accessible treatment, see also U. Heyd and E. Kuran, "Ilmiyye' in *EI*[2]. Dr. Cahid Baltacı's *XV–XVI asırlar Osmanlı medreseleri* (Istanbul, 1976: hereafter 'Baltacı, *O. Med.*'), which is mainly an exhaustive study of the individual Ottoman medreses, with biographies of the müderrises who taught at each, also contains a lengthy introduction which treats in a more general way both of the development of the medrese system and of certain other aspects of the learned profession. Though not altogether reliable in all its immense detail, the book is of considerable value: it is only to be regretted that in all but a few cases the nature of the source material is not discussed, a fact which makes difficult the evaluation particularly of the archival and manuscript material cited (see, for example, pp. 242–3 below).

[2] Uzunçarşılı's work ought, perhaps, to be excepted from this generalization (as should Baltacı's, of course): see above, p. xx.

the Müftilik—essentially that it rose from a position of relative unimportance to become, in the time of Süleyman, the principal office in the learned hierarchy—rests largely on premises conditioned by what one might call the 'hierarchical' viewpoint. Among the pieces of evidence advanced for the traditional view, for example, are the facts that until late in the reign of Süleyman the Müftis were considerably less well-paid than the kazaskers and that the Müftis did not sit in the divan whereas the kazaskers did.[3] These facts are indeed significant, but they are susceptible of a rather different interpretation when it is accepted that importance and success amongst the ulema in the earlier period did not depend upon one's position in the hierarchy—or concomitant matters like salary or membership of the divan—to anything like the same degree that they did in later times.

Not the least reason for this, of course, was simply the fact that the hierarchy was not nearly as fully developed. As it did develop, it gradually changed the terms by which the ulema judged themselves and by which they were judged by others. To put the case far too bluntly, one might argue that a fifteenth-century scholar's chief concern—and the measure whereby he was judged—was to achieve excellence in *'ilm* (*ilm*), that is, knowledge or learning, through teaching and writing; whereas a seventeenth-century scholar's chief interest—and the measuring rod of *his* success—was the attainment of the high learned offices and the power, salary and perquisites that went with them. It need hardly be said, of course, that this is not a matter of absolutes: there were certainly fifteenth-century scholars ambitious for worldly power and possessions, as there were seventeenth-century scholars who aspired to excellence in *ilm*. But it is beyond question that by the seventeenth century a distinct change of emphasis had occurred both in the goals which the majority of the ulema sought and in the terms whereby their success was judged by themselves and by others.

This change of emphasis is reflected in the biographical sources and is undoubtedly largely responsible for the marked differences, alluded to in the previous chapter, between the biographies written by Taşköprüzade and those by Atâ'î. Whereas Taşköprüzade, writing toward the end of Süleyman's reign, is on the whole relatively vague about the facts of a scholar's career, he delights in anecdotes which illustrate the scholar's piety or learning and describes in some detail his writings and his *evkaf*, his pious foundations. Though Atâ'î's biographies, written seventy-odd years later, are not devoid of such anecdotes and descriptions, the striking feature in them is the minutely detailed factual data about his subjects' careers. This contrast may, of course, reflect to some degree the personal inclinations of the authors: it has been suggested in the previous chapter, for example, that Taşköprüzade's interests tended to the antiquarian, which would make him all the more likely to emphasize the old virtues of piety and learning. But the contrast

[3] There is an element of illogic in this latter argument in that the Müfti never sat in the divan, even when his office was unquestionably higher in rank than those of the kazaskers.

would seem at least as much to reflect the differing circumstances and attitudes of the times about which each was writing and in which each lived. Much of Taşköprüzade's work is concerned with scholars of the period before there was what might properly be called a learned hierarchy; and though in his own lifetime a hierarchy of learned offices existed—and certainly the basic principles of the hierarchy had been formulated—it was by no means as thoroughly elaborated or rigid as it was to become even in the few decades after his death. Certainly in the earlier period, but also in Taşköprüzade's lifetime as well, great emphasis was placed by the ulema on the writing of learned works, for example, and this emphasis is reflected in Taşköprüzade's approach to his biographies. Practically the whole of Atâ'î's work, on the other hand, is concerned with scholars who lived in a period of relatively rapid elaboration of the hierarchical structure; and well before Atâ'î's own time the development was nearly complete. By his time, as his biographies bear witness, the primary fact of the scholarly life had come to be the learned hierarchy and the most important data about a scholar to be that concerning his progress in the hierarchy.

In dealing with the ulema of the earlier period, then, one must first take care not to allow to influence one's thinking unduly the relatively rigid structure of the hierarchy of the later period and the values and attitudes which this helped to foster. Though the basic broad principles of the hierarchy are observable from its inception, probably toward the end of the fifteenth century, it was only gradually that it became elaborated; and it was only with elaboration that the hierarchy tended gradually to become more rigid and to exert an increasing influence on the attitudes both of the ulema toward their own aspirations and of the people toward the ulema. And second, perhaps even more subtle than the dangers of making misjudgements about the early ulema and hierarchy under the influence of the distinctive character of the later hierarchy, one must avoid the danger of being led by the nature of the biographies themselves to dehumanize the ulema, a danger present in all the sources but perhaps particularly in Atâ'î. In a sense, from the point of view of the information given—birth, education, career, books written, pious foundations endowed—many of the biographies are, *mutatis mutandis*, not unlike those in *Who's Who*.[4] If the English reader of *Who's Who* can flesh out the bare bones almost as a matter of instinct, however, to do the same for the Ottoman ulema is rendered almost impossible by time and cultural distance. The Ottoman literary biographical sources are, of course, by no means as stark as *Who's Who*, as totally devoid of any but purely factual information. One often reads of jealousies, of quarrels, of friendships, of instances of patronage, of pique and of loyalty which

[4] A recent work largely based on the widely-used *Sijill-i 'Othmânî* (*Sicill-i Osmanî*) (by Mehmed Süreyya, 4 vols., Istanbul, 1308–15: hereafter referred to as *SO*), itself, in so far as it concerns scholars, a summary of the 'literary' biographical sources (e.g. Mecdî and Atâ'î), is in fact entitled *Who Was Who in the Ottoman State* (*Osmanlı devletinde kim kimdi*, by Dr. Gültekin Oransay, Ankara, 1969).

illuminate some aspect of a man's character, of the nature of the society in which he lived or of the system in which he worked. One comes across a man who resigned his post because of the grief occasioned by the death of a son; or another who, from disappointed expectations, turned to drugs and thereby unfitted himself for the offices he coveted.[5] The authors also on occasion add judgements of their own, that, for example, such and such a scholar was honoured above his deserts, another below. But one is almost totally dependent on the biographical sources for such humanizing detail; and if it is sometimes given amongst the flood of factual information, often it is not, and one is left to speculate. Why, for example, did Molla 'Iwaḍ (Molla İvaz), who was eventually to rise to become Rumeli kazasker, stay on at the Sahn at one point in his career, twice refusing appointments to higher medreses (those of Murad II in Bursa and of Bayezid II in Edirne) before accepting an appointment to the Ayasofya medrese?[6] Was it simply that he wished to remain in Istanbul, and, if so, did he wish to do so for professional or for personal reasons? Conditioned by both the sources and the system, one is inclined to suspect a professional motive, that Molla İvaz saw the Ayasofya, for whatever reason, as a surer stepping-stone to higher offices; and it is only by conscious effort that one remembers to entertain the possibility that some personal consideration quite unconnected with his career led to his decision. On balance, the nature of the biographies, particularly those of Atâ'î, is such as positively to invite computerized prosopography which, though in a limited sense of great benefit, may tend in the end to obscure as much as it reveals. One must, of course, be infinitely grateful for a source as detailed and informative as Atâ'î; but one must also be careful not to allow simply the approach to the writing of biographies to mislead as well as inform, and not to ignore, in the flood of welcome facts, the more personal, anecdotal material which is given or to be unaware that there is much that is not given, much that is unexplained and perhaps by now unexplainable.[7]

With these general points in mind, one may now turn to a sketch of the nature and growth of the learned hierarchy during the period under discussion. Until the reign of Mehmed II (1451–81) it is difficult to speak of a learned hierarchy since the practice of reserving the individual offices of

[5] Atâ'î, 251–2, 31–2.

[6] Ibid., 291–2.

[7] The point argued above is nicely put, in a more general context, by J. R. Walsh. Writing about the early Ottoman historians (e.g. the *Anonymous*, Uruj (Uruc), etc.), he says:

> In all may be seen the same preoccupation with events in themselves, and these events are invariably given an individual human motivation. The paradox here is that the individuals are rarely presented as personalities, but rather remain obscured behind the tired formulae of praise or blame; a paradox which is even more striking in the biographical literature, where the impression prevails that man is to be regarded as the sum of his experiences and appointments.

(J. R. Walsh, 'The Historiography of Ottoman–Safavid Relations in the Sixteenth and Seventeenth Centuries' in *Historians*, 198).

state to men of a particular background and training—whether to slaves of the Palace School system, to the ulema, or to men of the bureaucratic profession (*ḳalamiyya/kalemiye*)—[8] had not yet become developed to any very great degree. During the first half of the fifteenth century, for example, though slaves had come to man a large part of the standing army and to hold the lesser vezirliks, it was only after the conquest of Istanbul and the consequent fall of the Grand Vezir Çandarlı Halil Paşa that it became more or less regular practice for the highest office of the central administration, that of Grand Vezir, to be held by men of slave origin. Çandarlı Halil Paşa was one of a family of statesmen, four members of which had held the office of Grand Vezir for much of the century preceding the accession of Mehmed II; and these men had also held, prior to their appointments as vezir, the offices of kadı and kazasker. The appointment of a slave to the office of Grand Vezir in 857/1453, however, set the seal on the tendency to man the highest offices of the central administration, the vezirliks, with slaves; and though it was by no means unheard of for a member of the ulema thereafter to hold a vezirlik, one begins to see the development of a separate hierarchy more or less confined to members of the ulema, the highest offices in which, known as *mawlawiyya*s (mevleviyets),[9] were an end in themselves and not mere stepping-stones to high office in other areas such as the central administration. Symbolic, perhaps, of the acquiescence of the ulema in this new order is a remark attributed to Molla Gürânî, at the time Mehmed II's Hoca. When, shortly after Mehmed II came to the throne, he offered Molla Gürânî a vezirlik, the latter is reported to have refused, saying: 'Those servants and slaves who are in thy palace serve thee only that they may, in the end, obtain the office of vezir. Were the vezir to come from other than

[8] See generally N. Itzkowitz, 'Eighteenth century Ottoman realities', *SI*, xvi (1962), 73–94.

[9] The term mevleviyet signifies an office held by a *Mawlā* (Molla), an honorific title conferring certain privileges, and was applied in all periods to the highest offices in the learned profession, though the identity of the offices changed with time. In so far as the *Ḳānūnnāme* (Kanunname) of Mehmed II, referred to just below, can be relied upon in this respect, the term would seem in the late fifteenth century to have covered at least the highest three grades of medreses; 300- and 500-akçe kadılıks (the latter almost certainly an anachronism, however, as will be shown); and, presumably, the kazaskerliks. By the latter half of the sixteenth century, if not before, the signification of mevleviyet had become restricted primarily, though not exclusively, to the kazaskerliks and the important kadılıks, the 300-and 500-akçe kadılıks, which one might call mevleviyet kadılıks as distinct from the lower-ranking, non-mevleviyet kadılıks which were, of course, in the vast majority and which carried allowances normally not exceeding 150 akçe a day (though allowances of more than 150 and indeed even 300 and more akçe (see below, n. 66) are not unheard of). These last are generally referred to either as *ḳaḍā'* (kaza) kadılıks, which one might translate freely as 'local kadılıks', the kaza being the basic (legal) administrative unit of the empire; or as *ḳaṣabāt* (kasabat: singular, kasaba) kadılıks, 'town kadılıks'. See further Uzunçarşılı, *İT*, especially pp. 273 et sqq.; Gibb/Bowen, i/2, 86 et sqq.; Heyd/Kuran, "Ilmiyye' in *EI*[2]; and below, pp. 55 et sqq. and Appendix I, *A*.

their number, their hearts would turn from thee, and the business of thy government would become disordered.'[10]

The first clear-cut rules regarding the organization of the ulema would seem to be those found in the so-called *Ḳānūnnāme* (Kanunname) of Mehmed II. The principal provisions pertaining to the structure of the learned profession lay down that a candidate for office, a *mulāzım* (*mülâzım*) shall first teach at a 20-akçe medrese, that is, one at which the stipulated salary of the müderris is twenty akçe daily, and shall then proceed to advance by 5-akçe stages (e.g. to a 25-, then to a 30-akçe medrese, and so on) until he reaches the 50-akçe medreses of which there are three classes: *khārij* (*hâriç*), *dākhil* (*dâhil*), and the Sahn. The last of these classes consists of the famous eight medreses which Mehmed II had built round his mosque in Istanbul: the mosque itself was finished in 875/1470–1, and the medreses were finished presumably at about the same date. After reaching the Sahn, the highest of the 50-akçe medreses, the scholar may become a 500-akçe kadı and thence kazasker.[11]

In a recent book, a German scholar, Konrad Dilger, mounts a sustained

[10] Taş, i, 144. Mecdî (p. 104) adds to his translation of this passage the following sentence: 'The prolongation of the Ottoman state, perhaps [too] its daily growth in strength, occurs because of the habitual appointment (*tevcih olunageldiğindendir*) of the office of vezir—the principal rank of glory and honour and the greatest degree of felicity and exaltation—to slaves who are brought up with an excellent education in the *harem-i has* [i.e. the Palace School].' This statement shows a remarkable perception on Molla Gürânî's part of the value of the principles of the *kul* (slave) institution, but is perhaps anachronistic in that, as noted above, the more or less regular accession of members of the slave institution to the office of Grand Vezir, at least, had not yet begun at the time Molla Gürânî is supposed to have made the remark.

[11] *TOEM*, supplement to parts 13–15, Istanbul, 1330, especially p. 20. This version of the Kanunname, edited by Mehmed 'Ārif, derives from a manuscript in Vienna dated 1029/1620. Arif, in his introduction (pp. 4–6), dates the composition of the work as having occurred probably between 882/1477–8 and 886/1481. A text of the Kanunname is also to be found in Ḥüseyin, *Badā'i' al-waḳā'i'*, facsimile, ed. A. S. Tveritinova, ii, Moscow, 1961, ff. 277b–283b: Hüseyin extracted the text from the *divan kanunnamesi* when he became *ra'īs al-kuttāb* (reisülküttab) in 1022/1613–14 (op. cit., f. 277b). The *TOEM* text is hereafter cited as 'Kanunname', Hüseyin's text as 'Kanunname/Hüseyin' (only significant departures from the *TOEM* text being noted, however). See also now Abdülkadir Özcan, 'Fâtih'in teşkilât kânûnnâmesi ve Nizam-ı âlem için kardeş katli meselesi', *TD*, xxxiii (1980/81), 7–56, which, in addition to a discussion of various aspects of the Kanunname, including elements of the controversy over its authenticity, a subject alluded to just below, contains a transliteration of the Kanunname which allows easy comparison of the *TOEM* text and Hüseyin's text.

Although *hâriç* and *dâhil* professors received the same salary as Sahn professors, and their professorships, like those of the Sahn, were considered mevleviyets, the Kanunname twice states that it is from the Sahn that one ascends to become a 500-akçe kadı, the Ayasofya medrese being the only other medrese distinguished in the same way. There can be little doubt that in these provisions—whatever their date—the Sahn is considered a class apart from, and above, the other two. Such certainly was the case in the fully developed hierarchy.

attack on the Kanunname as a document of the period of Mehmed II;[12] and, as the Kanunname is one of the few sources of information about the ulema in the early period, his remarks deserve serious attention in the present study. Though not all his points are equally well taken, there can be no doubt that he is right in his basic assertion that the Kanunname is shot through with anachronisms suggesting sixteenth-century alterations and additions and that any provision of it must be treated with reserve and checked against other sources before being accepted as being genuinely of the time of Mehmed II. In the passage just quoted, for example, it seems virtually certain that Dilger is right in regarding the term Sahn as an anachronism in respect of the fifteenth century.[13] Likewise the identification of the 500-akçe kadılıks mentioned in the Kanunname presents a real difficulty. The whole question of the salaries and allowances of the holders of the highest mevleviyets in the early days of the empire is a vexed one, but it seems likely that to speak of a 500-akçe kadılık in the time of Mehmed II is anachronistic. A list of the kadıs in office in Anadolu in early Muḥarram 928/early December 1521, forty years after the death of Mehmed II, shows the kadı of Bursa to be receiving 300 akçe, while according to Gökbilgin, the kadı of Edirne was likewise receiving an allowance of only 300 akçe a day at the beginning of the tenth/sixteenth century.[14] Though there appears at present to be no early evidence in regard to the allowance of the kadı of Istanbul, a statement in a seventeenth-century source, the *Talkhīṣ al-bayān fī ḳawānīn-i Āl-i 'Othmān*

[12] Konrad Dilger, *Untersuchungen zur Geschichte des osmanischen Hofzeremoniells*, Munich, 1967, especially pp. 14–36.

[13] Ibid., 16 et sqq. See also Abdülhak Adnan-Adıvar, *Osmanlı Türklerinde ilim*, Istanbul, 1943, 30; Özcan, op. cit., 39, n. *.

One other point connected with the Sahn which possibly bears on the dating of the Kanunname (or at least the extant texts of it) but is in any case worthy of note is the fact that in the oldest *vakfiye* relating to the Sahn (but only in this), dating from 877 or 878 (1472–3), it is laid down that the (four) müderrises in the four 'corner' medreses are each to receive 50 akçe a day, those in the four 'middle' medreses 40 akçe a day (O. N. Ergin, *Fâtih imareti vakfiyesi*, Istanbul, 1945, 63: see below, Chapter IV, n. 193, for a discussion of the *vakfiyes* relating to the *evkaf* of Mehmed II. On this point, and on the Sahn generally, see also Ünver, *Fatih, külliyesi*, especially pp. 39–43 and 66 et sqq.). By at least 894/1489, however, all the Sahn müderrises were receiving a minimum of 50 akçe a day (Gökbilgin, *EPL*, 304), and 50 akçe is the daily salary stipulated for all the Sahn müderrises in the later versions of the *vakfiye*.

[14] Uzunçarşılı, *İT*, plate XVII; Gökbilgin, 'Edirne' in *EI*², ii, 686a. See also Dilger, 25–6. The plate in Uzunçarşılı is a reproduction of the first page of a list of active kadıs in Anadolu, the page comprising the *livâs* (sanjaks:sancak) of Beg (including Bursa), Karasi İli, Biga, and the first few kazas of the *livâ* of Saruhan. The list is of the same nature as TS/D8823, described above, pp. xiii–xiv, though considerably less comprehensive in many respects. It does, however, include the allowances of the various kadıs, a useful set of facts not found in TS/D8823. The first entry under *livâ-i Beg* I have taken to refer to Bursa on the strength of the position in the list, the allowance and the name of the kadı: the name of the kaza, as written, is not immediately recognizable as Bursa.

by Ḥusayn Hezārfenn (Hezârfen: d. 1103/1691–2),[15] would seem to indicate that the kadılık of Istanbul was similarly a 300-akçe kadılık. In his section on the fees for the diplomas of investiture (*rüsum-i berat*) Hezârfen says that when a kadı was appointed, one month's allowance was taken as a fee on the basis of his daily allowance as recorded in the defter, or register (*yevmiyesi defterde ne yazılırsa* ...), half as the fee for the imperial cypher (*resm-i nişan-i padişahî*) and half for the kazasker and his staff.[16] Further on he writes: 'Istanbul, Bursa and Edirne are recorded in the defter each as 300-akçe [kadılıks]; Damascus and Aleppo have been recorded each as 500-akçe [kadılıks].'[17] If the text is accurate, it would seem to indicate that the three kadılıks of Istanbul, Bursa and Edirne were all originally registered as 300-akçe kadılıks and that their registration had not been changed by Hezârfen's time, although all three outranked Damascus and Aleppo at least until the eighteenth century.[18] Certainly in the fifteenth and early sixteenth centuries no other kadılık approached the status of those of Istanbul, Bursa and Edirne—none appears to have attained even the status achieved by Damascus and Aleppo in the sixteenth century—and it therefore seems fairly certain that the 300 akçe a day given to the kadıs of the three Ottoman capitals represented the highest allowances given to any kadı at that period.

If such is the case, it would follow that the 500-akçe kadılık is a sixteenth-century invention and that in so far as 300- and 500-akçe kadılıks have significance in hierarchical terms—in the sense that the former ranked below

[15] For Hezârfen's life and works, see Heidrun Wurm, *Der osmanische Historiker Ḥüseyn b. Ğa'fer, genannt Hezārfenn, und die Istanbuler Gesellschaft in der zweiten Hälfte des 17. Jahrhunderts*, Freiburg im Breisgau, 1971. The *Talkhīṣ al-bayān* is described, and sections of it quoted, in R. Anhegger, 'Hezarfen Hüseyin Efendi'nin Osmanlı devlet teşkilâtına dâir mülâhazaları', *TM*, x (1951–3), 365–93 (hereafter 'Hezârfen/Anhegger'). In the present study, Bibl. Nat., Paris, MS. Ancien fonds turc 40 has been used (hereafter 'Hezârfen'). Much of the section on the ulema is quoted either in Anhegger's article or at various places in Uzunçarşılı's *İT*; and, as both authors have used other MSS. as well as the Paris MS., their quotations serve as useful controls on that MS.

[16] Hezârfen, f. 142b. He goes on to say that the 'half-and-half' arrangement was changed by Selim I (1512–20), who reserved nine-tenths of the fee for the sultan's use (*hassa-i hümayun*), leaving but one-tenth to the kazasker and his staff. See also Uzunçarşılı, *İT*, 158, n. 2.

[17] *İstanbul ve Bursa ve Edirne defterde üçer yüz yazılır, Şam ve Haleb beşer yüz kaydolunmuş* (Hezârfen, f. 143a). Hezârfen further remarks that in these cases one month's *khāṣṣ* (*has*) is to be taken for the sultan's use, the kazaskers not receiving a share (*bir aylık hasları hassa-i hümayuna zabtolunur, kazaskerler ondan hissedar olmaz*). Cengiz Orhonlu's comprehensive article 'Khāṣṣ' in *EI*[2] makes no mention of the use of the term *has* in connection with the learned profession, but in the light of his discussion and of the reference to *has* in Hezârfen, it seems reasonable to suggest that these high-ranking kadıs, at any rate, were traditionally remunerated at least partly with *has* lands: cf. Appendix I, *A*. Uzunçarşılı (*İT*, 118–19, 177 and n. 3) cites two (relatively limited) uses of *has* in regard to the learned profession: a) by the middle of the sixteenth century, for the *arpalıks* of the kazaskers; and b) from an indeterminate date for an apparently special monthly salary, for example (from a late eighteenth-century document), a *has* of 2,083 *kuruş* for the Şeyhülislâm, one of 143 akçe for the Rumeli kazasker, etc.

[18] See, for example, pp. 45 et sqq. below.

the latter—they do so only in regard to the kadılıks created in the sixteenth century and later. The actual income of a kadı depended not only—or even principally—on his allowance, of course, but also on fees of various kinds;[19] and it may well be that if indeed the kadıs of Istanbul, Edirne and Bursa continued to receive allowances of only 300 akçe a day down to Hezârfen's time, they did so because their allowances represented a relatively insignificant proportion of the monies they actually received, so that raising them to match the importance of the kadılıks was not a matter of particular moment.

Some doubt is in fact raised about interpreting Hezârfen's statement as meaning that these three kadıs were still, toward the end of the seventeenth century, receiving only 300 akçe a day both by Âli's statement that they were receiving 'approximately' 500 akçe (see Appendix I, *A*) and by the *risāla* (*risale*) attributed to Koçu Bey which was presented to Sultan İbrahim (1640–8) in 1049–50/1640 in which the author, discussing aspects of the learned hierarchy, says: 'Whatever great provinces (*eyaletler*) there are in the divinely-protected [i.e. Ottoman] dominions, such as Egypt, Aleppo, Diyarbakır, Damascus, Erzurum, Selânik (Salonica), Budin (Buda), Sofya (Sofiya), Bursa, Edirne, Istanbul—[the kadıs of] all such as these are 500-akçe Mollas'.[20] On the assumption that neither Hezârfen on the one hand nor Âli and Koçu Bey on the other is simply in error, one can perhaps reconcile

[19] The only reference I have found to the actual income of a kadı is in Atâ'î's biography of Molla Muḥammad Vanī (Van Kulu: Atâ'î, 316–17) in which he states that Van Kulu received 800 akçe a day as kadı of Selânik (Salonica), a post which he held in 988–9/1580–1, and 600 akçe a day as kadı of Kütahya, where he served in 989–91/1581–3. He is said to have preferred the latter post, despite the lower income, on the basis that the fees of Muslims were a worthier source of income than the property of Christian and Jewish orphans. Both kadılıks had only recently been made mevleviyets, Kütahya at the time Van Kulu took up the post, in 989/1581 (Atâ'î, 317), and Selânik in 983/1575 (Atâ'î, 442–3): see also below, pp. 45 et sqq. It seems likely that both were 300-akçe kadılıks, but I have found no direct evidence on this point. For a discussion of the kazaskers' salaries and income, see below, p. 292.

[20] Ali Kemalî Aksüt, *Koçi Bey risalesi*, Istanbul, 1939, 108 (Koçu Bey (2)). For a discussion of this later *risale*, see M. Çagatay Uluçay, 'Koçi Bey', *İA*, vi, especially 833b et sqq. (and now C. H. Imber, 'Ḳoči Beg' in *EI*²): the author inclines to the view that it is by Koçu Bey and points to the need for a scholarly edition of the text. The work had been translated into German by W. F. A. Behrnauer ('Das Naṣîḥatnâme. Dritter Beitrag zur osmanischen Finanzgeschichte', *ZDMG*, xviii (1864), 699–740); and two texts largely based on, but not identical with, this *risale* have been published in Turkish, namely: Faik Reşit Unat, 'Sadrazam Kemankeş Kara Mustafa Paşa lâyihası', *Tarih Vesikaları*, i, no. 6, Istanbul, 1942, 443–80 (on which see Uluçay's article); and A. Süheyl Ünver, 'XVII nci yüzyıl sonunda Padişah'a bir Lâyiha', *Belleten*, xxxiii (1969), 21–34. Some thirty-five names of office-holders mentioned in the text published by Ünver show conclusively that it dates from the time of İbrahim, not, as Ünver suggests, from that of Mustafa II. All these texts contain the passage quoted above, though the wording and the list of cities vary slightly from one to the other: all include Edirne and Bursa, but Unat's and Ünver's texts omit Istanbul. It may be significant that in Aksüt's text and Behrnauer's translation of the *risale* by Koçu Bey (though not in the texts published by Unat and Ünver) the three cities come at the end of the list, almost as an afterthought, rather than at the beginning, where one would expect them to come.

these two apparently contradictory statements on the grounds either that it was only in the technical matter of the *resm-i berat* that Istanbul, Edirne and Bursa continued to be regarded as 300-akçe kadılıks, their holders actually being given 500 akçe a day; or that, while still being paid only 300 akçe a day, they had come to be regarded as 500-akçe mevleviyets from the hierarchical point of view, for the obvious reason that they were in fact higher in rank than any of the other kadılıks.[21]

A point not raised directly by Dilger but worthy of consideration is the precise meaning and antiquity of the terms *hâriç* ('exterior')[22] and *dâhil*

[21] One must note in this connection a troublesome passage in the Kanunname. In the context of listing those who may become *defterdār* (defterdar), the text mentions the *defter emini* and the *şehremini* as two such and goes on: *ve büyük üçyüz akçe kadı defterdar olmak kanunumdur ve üçyüz akçe kadı beşyüz akçe mertebesindedir ve halen üçyüz akçe kadı bir kimesne vardır üçyüze vardıktan sonra mal defterdarı olmak kanunumdur* (p. 17: Kanunname/Hüseyin, f. 279b, differs in several particulars, but only the omission of *büyük* need be noted). In view of the fact that the concept of the 500-akçe kadı is almost certainly anachronistic in respect of the time of Mehmed II, it seems likely that the sentence equating the 300- and the 500-akçe kadı is a later addition by way of explanation, to note that what was in Mehmed II's time a 300-akçe kadı is now, in fact or in effect, a 500-akçe kadı. The statement that there is at present one 300-akçe kadı, on the other hand, is arguably authentically of the late 1470s and may refer to the kadılık of Istanbul, a possibility which is difficult, but not impossible, to fit into the tangled web of relationships set out in the Kanunname.

One might also note a relevant textual difference between the *TOEM* text and Hüseyin's text at a later point in the Kanunname, where the former states that a 300-akçe kadı is of mevleviyet status (*makam-i mevleviyettedir*: p. 20), the latter that it is 'near to' mevleviyet status (*makam-i mevleviyete karibdir*: f. 280a). It seems possible that Hüseyin's version is a later emendation, since by the seventeenth century the link between 300-akçe kadılıks and mevleviyet status becomes uncertain to a degree. Though Aksüt's version of Koçu Bey (Koçu Bey (2), 107–8: cf. Behrnauer's translation (as above, n. 20), 722), for example, states that 300-akçe [kadılıks] are mevleviyets, the related texts published by Unat and Ünver (as above, n. 20: pp. 451 and 29 respectively) are less unambiguous; and certainly in practice, kasabat kadılıks with allowances of 300 akçe and more were not unknown: see below, n. 66.

[22] *Hâriç*, as used here and in what follows, is a shortening of *hâriç elli* (in itself a shortening of *hâriç elli akçelik*), a point worth mentioning since İnalcık applies the term *hâriç* to the 20-, 30-, and 40-akçe medreses as well as to 50-akçe medreses (İnalcık, *Empire*, 168, 170). I cannot recollect having seen it used in such a way as to justify so wide an application, though it is possible, as will be shown, that before the mid-sixteenth century *hâriç* had a wide, primarily geographical signification (or, possibly, a geographical sense conterminous with a designation of rank), then gradually being used more narrowly to apply to a rank of medrese without particular geographical significance. It could be argued, indeed, that the term *hâriç elli* itself posits a (so far as I know) hypothetical *hâriç kırklı* type of medrese, for example, though the distinction being made seems more likely to be that between *hâriç elli* and *dâhil elli*. However that may be, from at least the mid-sixteenth century *hâriç elli* was more often than not shortened simply to *hâriç* (as in the Kanunname): indeed it would be positively misleading in reading Atâ'î, for example, to understand *hâriç* as anything other than *hâriç elli*. Occurrences of the term prior to the mid-sixteenth century are so rare, however, that one cannot rule out the possibility that *hâriç* had a wider application in earlier days. Essentially the same reservations would apply to İnalcık's understanding of the term *dâhil* (*Empire*, loc. cit.).

('interior'). Anyone who deals with Ottoman institutions will know how perilous is the task of trying to define terms, since a number are possessed of multiple significations, often changing over a period of time, and the particular sense intended in any given case is not always clear from the context: *sipahi* will serve as one example, *segban* another, and, in the learned profession, *danişmend*, which has the limited sense of a student at the Sahn and the wider sense of any student in 'higher' education, that is, at a 20-akçe medrese or above.[23] Particularly in the early period, moreover, the number of usages one comes across is so low as to make definition a hazardous business. Despite the dangers, however, there seems some point in setting out such information as can be given about the terms *hâriç* and *dâhil*, even if the results are ultimately inconclusive, in order to help to define the problem.

Purely from the point of view of meaning there seems to be a possible connection between *hâriç* and *dâhil* on the one hand and *kenar* ('edge, margin') and *içel* ('inner region') on the other, both these latter terms being reasonable Turkish equivalents for one sense of the Arabic *khārij* and *dākhil*.[24] Some substance is given to this connection by the comparison of a passage, in Arabic, in a biography by Mank Ali with Atâ'î's version, in Ottoman, of the same facts. In his biography of Molla 'Abd al-Fattāḥ (Abdülfettah: d. 984/1577), Mank Ali writes that after holding the medrese of Ata Bey in Kastamonu with a daily salary of 40 akçe, he was appointed to the *madrasat al-sayf* in Ankara with 50 akçe. He was removed from that medrese and then became müderris there a second time 'with the condition that it should be included among the *dâhil* medreses (*al-madāris al-dawākhil*) and that his *mu'īd* [*muid*] should become *mulāzim* [*mülâzım*] in his [proper] time in accordance with the custom in similar medreses'. Atâ'î writes that Molla Abdülfettah, having been appointed to the Seyfeddin medrese in Ankara with 50 akçe, was dismissed and then restored to that medrese 'with

[23] For the former meaning, see *Fatih vakfiyeleri*, 264–5; Uzunçarşılı, *İT*, 8–10; and for the latter, a firman dated 983/1576 and a kanun dated 1006/1598 comprising a memorandum presented by a committee of the ulema to Mehmed III, the substance of both the firman and the kanun being quoted in Uzunçarşılı, *İT*, 14, 244. A facsimile of the latter document, as well as a complete transcription, is to be found in Baltacı, *O. Med.*, 630–4 (see also ibid., 68–71, especially n. 42). It is possible that the latter sense was restricted to students in the *içel*, for which term see below, but I have no definite evidence on this. In both cases the term is opposed to *sukhte* (*softa*), in the restricted sense a student at one of the eight *Tetimme* medreses, built by Mehmed II as preparatory medreses for the Sahn; in the wider sense a medrese student who had not yet achieved *danişmend* status. See also s.v. *danişment* in Pakalın: his account is confused, but suggests several other uses as well.

[24] One must add here that another possible sense of *hâriç* and *dâhil* would be 'excluded' and 'included' which could be interpreted, for example, as their holders being 'excluded' from holding mevleviyets or 'included' in the ranks of those who might. One could make the case that by the end of the sixteenth century, if not before, one had to have taught to at least *dâhil* level before having any but the barest hope of getting even the lowest mevleviyet.

[an] *içel* judgement' (*içel hükmü ile*, that is, that the medrese was to be judged to be in the *içel* and treated accordingly) and continues: 'His *muid* became *mülâzım* and, by reason of the esteem [due to/shown to a] *dâhil* [müderris], the mouth of his hope smiled.'[25]

What is happening here is that a medrese, normally of the *hâriç* grade, is being turned, *ad hominem*, into a *dâhil* medrese. It was indeed not uncommon for medreses to be raised or lowered a grade on occasion, but what is particularly interesting is the coincidence of the terms *dâhil* and *içel*. The latter term is defined by Âli as being applied to the 'outstanding' (*güzide*) medreses in Istanbul, Edirne, Bursa and the towns in the environs of these three cities.[26] A problem immediately arises, however, because it is clear from both Âli and Atâ'î that the term *içel* was not confined to a grade of medreses, as *dâhil* probably was, or came to be, but retained a wider geographical significance, referring simply to the three cities and their environs. Âli, for example, in the same passage, speaks of '40-akçe *içel* medreses' and '*içel* medreses of less than 50 akçe' (whereas, of course, all *dâhil* medreses were at the 50-akçe level).[27] Atâ'î, in his biography of Molla Shams al-Dīn (d. 982/1575), writes that 'he traversed a few ranks in *içel* medreses' before turning to medicine; in this case it is clear that these medreses are well below the *dâhil* level.[28] Again, in his biography of Molla Muṣṭafā Sarukhānī (Ak Muslı: d. 1016/1608), Atâ'î says that the subject, while in retirement from a 40-akçe medrese, was in 994/1585–6 given the müftilik of Ağras 'with [an] *içel* stipulation and *hâriç* rank' (*içel şartı ve hâriç payesi ile*: *şart* is ambiguous, however, since it could conceivably mean not that the medrese was to be considered as *içel* but that it was given with the stipulation that the müderris should receive an *içel* medrese in due course).[29]

It is equally clear that the antonym of *içel*, namely *kenar*, was not confined to a class of medrese, as *hâric* in all likelihood was, or came to be, but had a much wider usage as an essentially geographical term. Thus Atâ'î writes that Molla 'Alī (d. 1000/1592), at the beginning of his career, 'chose the *kenar*' in

[25] Mank Ali, 528–9; Atâ'î, 242. For *muid* and *mülâzım*, see below, pp. 51 et sqq. One might note that the kanun of 1006/1598 forbids the accepting of *mülâzıms* from *kenar* medreses except in cases where such had previously been the practice (Uzunçarşılı, *İT*, 244).

[26] Âli, TY 5959, f. 91a. The term *içel* actually occurs in the Kanunname, as will be noted below (see p. 56), but there is no assurance that it is not anachronistic. However, Dilger's argument (pp. 28–9) that the term refers to the sancak of İçel (the province including Silifke) is to be rejected. As is clear from the examples which follow in the text, *içel* was used in at least something like the sense defined by Âli from a relatively early period; and it would be perverse, in the light of these, to assume that the sancak of İçel—which had no special significance in respect of the medrese system—is meant.

[27] Âlī, loc. cit. Whether anachronistic or not, the usage of the term in the Kanunname, referred to in the previous note, is interesting in this regard: '... if a 20-akçe müderris in the *içel* becomes a kadı ...' (p. 20).

[28] Atâ'î, 229.

[29] Ibid., 525.

which to teach, this at no higher than the 30-akçe level.[30] Hezârfen likewise classifies müftis as being of two types: either the Şeyhülislâm—who, from well before Hezârfen's time, had acted as Müfti for the whole of the *içel*—or *kenar müftileri*.[31] Again, Atâ'î writes that Molla Khurram (d. 970/1562–3) reached the 50-akçe [*hâriç*] level at the Mehmed Paşa medrese in Sofya: 'then, as often as he sought a medrese in the *içel*, he failed to obtain his desire; and, of necessity becoming resigned to going out to the *kenar*, he became kadı in certain cities (*bilâd*) with 150 akçe.'[32]

It is clear from these examples that *hâriç* and *dâhil* on the one hand and *kenar* and *içel* on the other were not, or came not to be, co-extensive, the former pair being, or becoming, confined to specific grades of medreses, the latter retaining, or developing, a wider geographical significance whose importance is not altogether clear beyond the fact that it was impossible to get very far in the hierarchy without having taught in the *içel*. The passages from Mank Ali and Atâ'î concerning Abdülfettah do suggest, however, that there may well have been some connection between the pairs of concepts and that there is some basis for assuming that the 'interior' referred to is the three cities of Istanbul, Edirne and Bursa (and environs) and the 'exterior' the rest of the empire or at least that part of it in which the learned hierarchy operated. One may therefore further suggest that the terms originated in a time when the distinction between the two classes lay essentially in the geographical location of the medreses. Yet by the middle of the sixteenth century, if not earlier, the geographical distinction had become blurred in fact, since a number of medreses in the *içel* were treated as of the *hâriç* grade while certain medreses in the *kenar* were treated as of the *dâhil* grade.[33] Indeed, in another passage in the *Kunh al-akhbār*, Âli differentiates the *hâriç elli* (and 40-akçe) and *dâhil* grades of medreses on the basis not of geographical location but of their builders—the 40-akçe and *hâriç elli*

[30] Ibid., 317.

[31] Hezârfen, f. 134a. See also ibid., f. 138a, and Uzunçarşılı, *İT*, 196, n. 2; Heyd, *Criminal Law*, 175, n. 6. For a reference to a somewhat similar classification of the defterdars, see Kanunname, 17, n. 2.

[32] Atâ'î, 38. For further uses of the terms, see the text of the kanun of 1006/1598, referred to several times previously, in Uzunçarşılı, *İT*, 243–6.

[33] There are ample instances of medreses at the *hâriç* level—i.e. the grade immediately above the 40-akçe level—in the *içel*. In the document from the archives of the Topkapı Sarayı described just below in the text (TS/E10597: see also above, p. xiv), dating from 942–4/1536–7, the medreses of Mahmud Paşa, (Atik) Ali Paşa, Mustafa Paşa, and Kasım Paşa, all in Istanbul, are all listed as 50-akçe medreses; and information in the biographical sources would seem to indicate that they were treated as *hâriç* medreses in the sense that one went to them from 40-akçe medreses: see, for example, Taş, ii, 186, Mecdî, 525–6; Atâ'î, 24, 38, 136. The medreses of Süleyman's mother in Manisa and of Süleyman himself in Rhodes, however—which were certainly *hâriç* geographically—seem usually to have been treated as of the *dâhil* class: see, for example, Atâ'î, 136, 243, 109 (Manisa in the 950s); and 113, 173, 110, 234 (Rhodes in the 950s and 960s). The classification of all these medreses is, in fact, in line with the principles stated by Âli and mentioned just below in the text.

medreses being the foundations of the families of pre-Ottoman rulers and [Ottoman] vezirs and emirs, the *dâhil* medreses the foundations of the families of Ottoman sultans—a method of classification which accords rather better with the actualities of his time (late sixteenth century) but which provides no apparent explanation for the terms themselves.[34] Provided, therefore, that the basis of the distinction between *hâriç* and *dâhil* was originally geographical—and it must be emphasized that this is only one possible explanation, albeit perhaps the most tenable one—it seems likely that they had come into currency before the middle of the sixteenth century, before the distinction between the geographical locations of the medreses had begun to become blurred.

This admittedly circuitous line of reasoning is made necessary first by the undoubted presence of anachronisms in the Kanunname, as demonstrated by Dilger, and second by the fact that one does not meet the terms *hâriç* and *dâhil* in Taşköprüzade, who is, of course, the principal, and indeed almost the only, source of information about the learned hierarchy before roughly 1550.[35] The earliest use of either of the terms so far located (aside, of course, from that in the Kanunname itself) is in a list of medreses and their incumbents in the archives of the Topkapı Sarayı, drawn up some time in the years 942–4/1536–7. The document lists the müderrises of (certain) 40-, 50- and 60-akçe medreses in Istanbul, Edirne and Bursa, this section then being followed by one entitled: 'The müderrises in the *hâriç* (*hâriçte olan* ...) are these ...'. This latter section comprises the müderrises of medreses in Amasya, İznik, Trabzon, Manisa and Gebze, all of which save the one in Gebze were built by sultans or members of their families and all of which are 50-akçe medreses, with the possible exception of those in Amasya and Trabzon, the salaries of which are not given.[36] There is, however, a somewhat earlier use of the terms *içel* and *kenar* in another document in the Topkapı Sarayı archives which may be dated with some certainty to 929–30/1523 and which lists, and in most cases gives short biographies of, the ulema then holding or in line for the various offices of the learned profession in 'the *eyalet*s of eastern and western Anadolu as well as all the *eyalet*s of Syria and Egypt'. Writing about a Molla Süleyman, müderris of the medrese of Sahib(-i) Baz (?) in Antakya, the compiler says: 'Because he

[34] Âli, TY 5959, f. 86b. Uzunçarşılı quotes the relevant passages in *İT*, 11, n. 3, and 12, n. 1 (cf. also p. 19) from a MS. in his private library. The texts of the two MSS. differ to some degree (at least in so far as can be judged from Uzunçarşılı's rendering), and one such difference is of some importance: the first clause in *İT*, 11, n. 3, is unintelligible as it stands and should be compared with the reading in TY 5959, as follows: *ba'dehu kırklı medreseler ve onun verasında ellili namındaki tayin olundu.*

[35] *Hâriç* is common enough in Atâ'î, *dâhil* uncommon. For the latter, Atâ'î regularly uses the apparently synonymous term *paye-i Sahn*, for which see Appendix I, *B*.

[36] TS/E10597. The evidence of the document is a little difficult to interpret since it is not clear what its terms of reference are, but it seems more likely than not that *hâriç* is here being used in a geographical sense, essentially as a synonym for *kenar*.

worked in the *kenar* and was [never] in the *içel* [in this case in the plural, *içellerde*], no one has been found who knows the circumstances of his higher education (*danişmendlik*). But the aforementioned medrese was bestowed upon him as the result of the letter of Ferhad Paşa.'[37]

If one may accept the equivalence of at least the concepts underlying the terms *içel* and *kenar* on the one hand and *dâhil* and *hâriç* on the other, there is thus some solid evidence, in addition to the line of reasoning advanced above, to suggest that the concept of a division between 'the interior' and 'the exterior' existed at least from fairly early on in the sixteenth century; and it is not unreasonable to suppose that the terms *hâriç* and *dâhil* are not anachronistic in respect of the Kanunname. Whether, however, their precise significance in the late fifteenth century is as described in the Kanunname—that is, whether at this early stage of the development of the medrese system they were already confined to two classes of 50-akçe medreses—is perhaps more open to question, though the very real possibility that the geographical sense and the designation of rank were once conterminous should not be overlooked in this connection. The biographical sources covering the period are, unfortunately, not sufficiently detailed to permit a definite answer.

In general, however, despite the fact that anachronisms do exist in the published text of the Kanunname, there seems to be good reason for supposing the provisions in it concerning the learned hierarchy to be basically genuine.[38] These provisions define the basis for the highly complex *cursus honorum* of the learned profession which finally became fully elaborated only in the early eighteenth century. The principle is fixed that a scholar aspiring to high office must first teach at a graded series of medreses, one after the other, and that only when he reaches a certain grade does he become eligible for the great offices of the learned hierarchy, the mevleviyets, which are in their turn graded. The biographical sources for this period are neither detailed nor accurate enough to allow a close analysis of the degree to which the system had become elaborated in the first half of the sixteenth century, but the broader outlines may certainly be perceived and seem to confirm that something like the provisions of the Kanunname were operating by the early years of that century.[39] It is, for example, rare, though not unknown, to find the holder of an important kadılık who has not taught at the Sahn; and it is

[37] TS/D8823, p. 9 (left).

[38] One must not overlook the fact that a kanunname is a collection of separate kanuns. Even if it were possible, therefore, to date one provision or set of provisions with certainty, this would not necessarily affect the dating of any other provision beyond establishing a *terminus post quem* for the collection of the kanuns into the kanunname: the other provisions might well have been in existence from a much earlier period.

[39] As a corollary to this it must be said that signs of the existence of an organized hierarchy are much more readily apparent in the careers of scholars of the early sixteenth century, and later, than in those of the fifteenth. Hocazade's career, recounted at the end of the chapter, exemplifies well the relative chaos, from a hierarchical point of view, of the fifteenth century as, on the whole, do those of the fifteenth-century Müftis.

likewise extremely unusual, though again not unheard of, to find a kazasker who has not held an important kadılık.[40] It would thus seem that something very like the provisions of the Kanunname were in operation by at least the early sixteenth century; and if the sources are not sufficiently detailed to confirm the operation of the provisions of the Kanunname in every detail, at the same time they do not cast doubt upon any detail.

Though it is impossible to date the provisions with any confidence, in favour of dating them in the reign of Mehmed II is the fact that Sultan Murad III (982–1003/1574–95), in a firman sent to his Grand Vezir in 985/1577 in connection with reform of the learned profession, speaks of 'the ancient law (kanun) of Sultan Mehmed Gazi': it thus seems likely that Mehmed II promulgated *some* legislation concerning the learned profession, if not these actual provisions.[41] A further point which suggests that these provisions, if not actually written in his reign, were in any event written not long after his death is the fact that the medrese attached to the mosque of Bayezid II in Edirne, completed in 893/1488 and of higher rank than the Sahn, would almost certainly have received some mention in any such provisions written subsequent to that date.[42] Finally, two other points, admittedly only suggestive, might be mentioned: first, the fact that Mehmed II is noted for his activity in organizing, and centralizing control over, the various institutions of the state in a number of ways;[43] and second, the fact that the Sahn was not only part of his most important pious endowment in his newly-conquered capital of Istanbul, but also far and away the most extensive medrese complex thus far created in the Ottoman state. It seems possible to suggest that for a sultan already disposed toward examining and reorganizing the institutions of state, pride in his newly-built medreses, as well as simply the fact of their existence, might well have acted as a strong spur to him to impose some sort of order upon—and, implicitly, control over—the learned institution.[44]

The later development of the hierarchy, a development which continued

[40] See, for example, the career of Ja'far Çelebi b. Tājī Bey, below, p. 50.

[41] See Uzunçarşılı, *İT*, 71, 241. Âli, who implies that the organization of the learned profession was begun under Bayezid I, views Mehmed II as the major contributor to the process: *eğerçi ki ecdad-i izamında Yıldırım Bayezid Han'dan kendilere gelince vaki olan âba-i kiram bu kavaninin bir mikdarını icra buyurmuşlar, lâkin bittamam tertib ü ihtimam ü ihtitam niyetini gûya ki Ebülfeth merhûmun mesubatı defterine ta'lik kılmışlar* (TY 5959, f. 86b). One must, however, allow for the tendency of Ottoman historians—and perhaps sultans—to attribute the origins of institutions and laws to great men of the past, not least to Mehmed II: see Dilger, 36.

[42] See below, n. 47, for this medrese.

[43] See, for example, Halil İnalcık, 'Mehmed II', in *İA*, vii, especially pp. 511–12.

[44] In the Kanunname reference is actually made to the fact that the Sahn was currently being built: *hâliyâ bina eylediğim medaris-i âliye'ye Sahn diye isim konulmuştur* ('the name Sahn has been given to the exalted medreses which I [Mehmed II] am at present building') (p. 20), but in view of the possibilty of anachronisms, it seems as well to lay a foundation for suggesting that the statement is very possibly not a later invention.

down to the eighteenth century, was essentially no more than an elaboration of the basic principles set out in the Kanunname. As time went on, and the sultans who succeeded Mehmed II built their own medreses, the Sahn slipped from its position as the highest class of medreses, and, in the fully elaborated hierarchy, is only the sixth of twelve grades above the 40-akçe level.[45] The first to supplant it as the final stepping-stone to the highest offices of the learned profession seems to have been the *altmışlı* (60-akçe) class. According to Âli, the Ayasofya medrese was already a 60-akçe medrese in Mehmed II's time;[46] and it appears generally to have been the case that it and, from the time of Bayezid II, the medrese of Murad II in Bursa (the Muradiye) and, more particularly, that of Bayezid II himself in Edirne, completed in 893/1488, ranked higher in the first half of the sixteenth century than the Sahn in the sense that the müderrises appointed to them were normally promoted from the Sahn.[47] In one important sense, however, it is questionable whether they yet constituted a distinct class of medreses in this period, namely that teaching in one or another of them appears not to have been a prerequisite for the holding of the highest mevleviyets. Only from roughly the middle of the tenth/sixteenth century—perhaps coincidentally with the building of two other medreses which were to form part of the *altmışlı* class, namely that attached to the mosque built by Süleyman for his son, Şehzade Mehmed (the Şehzade medrese, completed in 954/1547), and that built by the same sultan for his father, Selim I, apparently around

[45] The Sahn did, however, maintain a particular importance in the hierarchy in that it itself constituted a discrete class of medreses through which it was, in general, necessary for aspiring office-holders to pass. As there were thus only eight posts available in the class, it became something of a bottleneck; and the preceding grade, the *müşila-i Şahn*, came to be known as *batak*, 'the bog' (Heyd/Kuran, "Ilmiyye' in *EI*²).

[46] Âli, TY 5959, f. 86a.

[47] Despite Âli's remark in connection with the Ayasofya medrese and Baltacı's assertion that after Bayezid II had appointed Molla Lûtfi to the Muradiye with 60 akçe, that medrese became a second *altmışlı* and was thereafter always given with 60 akçe (*O. Med.*, 47–8), much more evidence is needed—certainly much more than is cited by Baltacı—to show that these medreses regularly carried salaries of 60 akçe in the first four decades or so of the tenth/sixteenth century. Baltacı (*O. Med.*, 509, 538) seems in fact to have missed the point that Molla Ni'mat Allāh b. 'Alī b. Rushenī (Ruşenizade: Atâ'î, 28–30) was originally appointed to the Muradiye at the *dâhil* level in 949, only later being raised to the 60-akçe level by a promotion (*tarakkī*/*terakki*) in the same medrese. Whatever one's doubts about earlier years, however, it is only fair to say that there is a considerable amount of evidence in the biographical sources to show that müderrises at these three medreses were by the 940s and 950s, at least, normally receiving 60 akçe a day (see also TS/E10597, where the salaries of the müderrises at the Bayezid II and Muradiye medreses—the Ayasofya is not listed—are given as 60 akçe).

For the *vakfiye* of Bayezid II's complex in Edirne, in which 50 akçe is stipulated as the daily salary of the müderris, see Gökbilgin, *EPL*, text, 357 et sqq.; facsimiles, 3 et sqq. (especially p. 6), 90–1; and for decisive evidence that the first two müderrises (the second replacing the first on the last day of Rabī' II 895/22 March 1490) actually did receive 50 akçe, see Barkan, 'Edirne', 272.

955/1548—[48] can one discern in the biographical sources the existence of a class of medreses, comprising these and others, one rank higher than the Sahn and normally carrying a salary of 60 akçe, teaching in one of which seems to have been a generally recognized prerequisite for the holding of the highest learned offices.

Süleyman's own medreses, built round his mosque in Istanbul and completed by 966/1559, were to form the top rungs in the fully elaborated hierarchy of medreses, though they seem not to have achieved exclusive claim to this pre-eminence immediately. A glance at the careers of nine of the ten Müftis who held the office between 988/1580 and 1031/1622[49] and whose teaching careers fall in the latter half of the sixteenth century, after the building of the Süleymaniye medreses, will give an idea of the teaching background apparently considered essential to give one a chance of eventual appointment to what had by then become the highest learned office: all nine men taught at the Sahn and subsequently at one of the 60-akçe medreses built prior to the building of the Süleymaniye medreses, for example, the Şehzade medrese; two of the nine then went directly to their first mevleviyet (early on in the period, in 1566 and 1573), while six taught at one of the Süleymaniye medreses[50] and one at the medrese of the mother of Murad III in Üsküdar (the Atik Valide medrese), newer than Süleyman's medreses, before being appointed to their first mevleviyet. The careers of other scholars of the period who reached the highest mevleviyets likewise suggest that by this time teaching on at least two levels of medreses beyond the Sahn had become customary, the top level being composed of the Süleymaniye medreses and the later imperial medreses, such as those of Selim II and Murad III.

As the numbers and grades of medreses increased with the passage of time, so also did the numbers and grades of mevleviyets, the term used here in the sense which would appear to have been valid, with minor qualifications, at least from the latter half of the sixteenth century, namely as comprising principally the kazaskerliks and the important kadılıks—the mevleviyet kadılıks—to which one moved on from the higher medreses and through which one moved, if one were fortunate, eventually to reach the

[48] For the Şehzade medrese, see Atâ'î, 14, 243: the first müderris, appointed at the commencement of the building of the medrese, around 950/1543–4, received 50 akçe; the second, appointed in 955/1548, received 60 akçe. The medrese of Selim I is described in Evliyâ Çelebi, i, 315. The date for it is established by Taşköprüzade's statement that the first müderris there was Molla Shams al-Dīn Aḥmad al-Germiyānī, known as Küçük Şems, who came to it from the Sahn (Taş, ii, 122; Mecdî, 500); and by Atâ'î's statement that Küçük Şems was replaced at the Sahn in the course of 955/1548 (Atâ'î, 14).

[49] Hoca Sa'deddin is omitted, as his career is anomalous. After teaching at the Sahn he became the sultan's Hoca, in which capacity he served two sultans, Murad III and Mehmed III.

[50] One of the six also taught subsequently at the medrese of Selim II in Edirne.

kazaskerliks and, by the end of the sixteenth century, the Müftilik.[51] The office of kazasker was, as noted previously, divided into two near the end of Mehmed II's reign, with one kazasker for Rumeli and one for Anadolu, the former being the senior. For a short period in the reign of Selim I (918–26/1512–20) there existed a third kazaskerlik, for the Arab and Persian lands, but this was, after a few years, combined with the kazaskerlik of Anadolu.[52] As far as the kadılıks are concerned, the original mevleviyet kadılıks appear to have been the kadılıks of the three Ottoman capitals, Istanbul, Edirne and Bursa,[53] this number being increased in the first instance through the acquisition of other important cities by conquest or other means. A note in a *Mühimme Defteri* dated 1 Sha'bān 963/10 June 1556 concerning the number of *mülâzıms* to be appointed in the *nawba* (*nöbet*) of that year[54] mentions that four new *mülâzıms* each are to be accepted from the kadıs of Istanbul, Edirne, Bursa and Egypt and two each from the kadıs of Damascus, Aleppo and Baghdad.[55] From the evidence of the biographical

[51] See above, n. 9.

[52] See above, p. 21, and below, p. 259.

[53] According to Uzunçarşılı, Filibe, Sofya and Selânik were also accounted mevleviyets in the fifteenth century (*İT*, 96; cf. Gy. Káldy Nagy, 'Ḳāḍī (Ottoman Empire)' in *EI²*), but I can find no evidence to support this. They were almost certainly kasabat kadılıks in the mid-sixteenth century (see, for example, the biographies of Molla Hüsrev (*not* the Müfti) and Molla Abdülbaki: Atâ'î, 16–17, 35; also, n. 66 below, and, for an earlier period, the career of Saçlı Emir, p. 59 below); and Uzunçarşılı himself, in the same paragraph, notes that the kaza of Selânik, with the addition of that of Sidrekapsi, became a mevleviyet in 983/1576 (but should be 1575: cf. Atâ'î, 442–3). The precise signification of mevleviyet in the fifteenth and early sixteenth centuries is so uncertain, however, that his statement cannot be dismissed out of hand. It is not impossible, for example, that there was, before the mid-sixteenth century, a grade of kadılıks apart from the kadılıks of Istanbul, Edirne and Bursa (with the additions mentioned just below in the text) which were mevleviyets in the wider, honorary sense as distinct from the later, largely functional sense obtaining from the latter half of the sixteenth century; but it *is* certain from the evidence of the biographical sources that if there were such a class, one did not ascend from it to the three highest kadılıks and the kazaskerliks: in other words, from the late sixteenth-century point of view, these kadılıks would, in respect of their place in the hierarchy, be high-ranking kasabat kadılıks rather than mevleviyet kadılıks. It is interesting, for example, that according to the Kanunname one goes from the Sahn not to a 300-akçe kadılık but to a 500-akçe kadılık, though both are considered mevleviyets. As illustrated in detail above, the figures for the salaries are clearly a problem, and possibly the result of later tampering with the text of the Kanunname, but if one understands the '500-akçe kadılıks' to be those of Istanbul, Edirne and Bursa, one comes very close to what the biographies show to be the normal path to the top of the learned profession.

[54] Both *mülâzım* and *nöbet* are defined in detail below, but briefly, the latter refers to the more or less regular occasions on which high-ranking ulema were permitted to invest a stipulated number of students, their own or others, with the right to become the former, that is, candidates for office.

[55] *Mühimme Defterleri*, ii, no. 939. It is also noted that the arrangements as stated are the same as in the previous *nöbet*, probably that of 959/1552, the '*nöbet* of Abdurrahman Efendi' (Atâ'î, 292, 300), the then Rumeli kazasker (Atâ'î, 230–2: Rumeli kazasker from 958/1551 to 964/1557, and thus in office at the *nöbets* of both 959 and 963).

sources, this would appear to be a nearly complete list of the mevleviyet kadılıks of the time; the only surprising omission is the kadılık of Mecca, which seems to have been a mevleviyet for some years before 963. The kadıs of Mecca from, for example, 953/1546–7 to 971/1564 can be traced in Atâ'î: all are Ottoman scholars who had previously held the kadılık of Damascus, Aleppo or Baghdad, the holder in 963/1556 being Molla Amīr Ḥasan b. Sinān (Emir Hasan), who appears to have served continuously from 959/1552 to Shawwāl 964/August 1557 and who had previously been kadı of Aleppo.[56] It is worth noting that the kadılıks in the list are divided into two distinct grades—though if Hezârfen is right, they do not seem to correspond, at least in the way one would expect, to '300- and 500-akçe' kadılıks—[57] and it is not impossible that the order as given above represents the order of precedence, with Istanbul at the top and Baghdad at the bottom.

Precisely when these four additional kadılıks—or five, including Mecca—became mevleviyets is not clear in every case, though it is certain in one case, and entirely possible in the others, that they were not made mevleviyets immediately on coming into Ottoman possession. According to Atâ'î, Baghdad became a mevleviyet only in 947/1540–1, some six years after the Ottomans had taken it: a marginal note adds that for those six years it had been administered by kasabat kadıs.[58] Of the other four, the early history of the kadılık of Damascus is readily traceable in Ibn Ṭūlūn's *al-Thaghr al-bassām*, but, on the particular point of its status, the evidence is somewhat ambiguous. When Selim entered the city on 29 Sha'bān 922/27 September 1516, he appointed as kadı Zayn al-Dīn Muḥammad b. Muḥammad Shāh al-Fenārī (Fenârîzade Zeyneddin), an Ottoman scholar of a distinguished family, though not himself of great distinction, whose previous post had been the (kasabat) kadılık of Tire. He held the office until Ṣafar 924/February 1518 when he was succeeded by two Damascene scholars in turn, who between them held the post until 927/1521; then by two Ottomans, in turn,

[56] Atâ'î, 39, 19, 118, 240, 19, (113), 39, 275. For three kadıs in the period 944/1537–8 to 953/1546–7, two of whom came on from the kadılık of Aleppo and one from the Sahn, see Taş, ii, 104, 114–15, 117–18; Mecdî, 489, 495, 497. There is a problem in regard to the first of these, Molla Muṣliḥ al-Dīn Muṣṭafā, known as Masdar Muslihiddin. Both Taşköprüzade and Mecdî have him becoming kadı of Mecca (without date) after being kadı of Aleppo, but Mecdî, in his *tezyil*, quotes a contemporary historian of Aleppo, Muḥammad b. Ibrāhīm al-Ḥalabī (Hanbalizade, d. 972/1564–5: Atâ'î, 45), as saying that Masdar Muslihiddin, while kadı of Aleppo in 944, became kadı of Medina. According to Atâ'î, however, Medina became a mevleviyet for the first time in the tenure of Molla 'Abd al-Raḥmān b. 'Alī (962–7/1555–60); and the biography of Molla Ḥakīm-zāde (Taş, ii, 128–9; Mecdî, 505), who died as kadı of Medina in the 950s, suggests that the office was then a kasabat kadılık, as does the absence of any mention of it in the careers of scholars achieving mevleviyets in the period. It is possible that Medina was, for a short period in the 940s, treated as a mevleviyet, but it is perhaps more likely that Taşköprüzade is right and that Hanbalizade, or Mecdî's reading of him, is in error.

[57] See above, pp. 33–6.

[58] Atâ'î, 22.

until 930/1524; and then again by one of the Damascenes who had earlier held the post, this time holding it from 930/1524 to 936/1530 when he was removed, apparently for misconduct. From 936/1530 to well beyond the limits of the present study the office was held continuously by Ottoman scholars,[59] a survey of whose careers suggests that if the office was not a mevleviyet from 936/1530 it was so from a matter of a very few years thereafter.

The kadılık of Mecca, and that of Medina, constitute something of a special case with respect to their early history. The famous *nishānji* (nişancı) Jalāl-zāde Muştafā Çelebi (Celâlzade Mustafa: d. 975/1567) writes in his history of the reign of Selim I, the *Ma'āthir-i Selīm Khānī*, or *Selimname*, that when the Holy Cities came under Ottoman protection with the conquest of Egypt, the Ottoman ulema approached Pîrî Paşa, mentioned here as the kazasker of the Arab lands, and suggested that kadıs be sent from Rum (that is, in effect, from among the Ottoman ulema) to the two cities. When Pîrî Paşa put the idea to Selim, however, the latter refused, taking the view that it would be wrong to interfere in the affairs of the two cities, which enjoyed a special standing in the Islamic world and the governing of which had always been in the hands of descendents of the Prophet.[60]

Toward the end of the sixteenth century, dating from late in the reign of Süleyman, a number of ostensibly less important kadılıks such as İzmir (976/1569), Konya (977/1569 and again in 989/1581), Jerusalem (983/1575), Selânik (983/1575), and Bosnasarayı (Sarajevo) (986/1579) were turned into mevleviyets.[61] This transformation was usually accompanied by the enlargement of the area of jurisdiction of the kadılık through the addition of other districts in the vicinity: Konya, for example, was made a mevleviyet in 977/1569 'with the addition of certain sub-districts' (*bazı nevahi ilhakiyle*) and the appointee later moved on to Maraş, the kadılık of which was made a mevleviyet with the addition of Elbistan; and Selânik, as mentioned above, was made a mevleviyet with the addition of Sidrekapsi.[62] Occasionally a mevleviyet was created by the combination of the kadılık with another post:

[59] Ibn Ţūlūn (d. 953/1546), *al-Thaghr al-bassām fī dhikr man waliya ḳaḍā' al-Shām*, ed. Şalāḥ al-Dīn al-Munajjid under the title *Ḳuḍāt al-Dimishḳ* (also including a *zeyl* extracted from a *tadhkira* written by Sharaf al-Dīn Mūsā b. Ayyūb al-Anşārī al-Dimishḳī), Damascus, 1956, 309 et sqq. For Fenârîzade Zeyneddin (whom Ibn Ţūlūn calls Zayn al-'Ābidīn) see Taş, i, 638–40; Mecdî, 400. See also Abdul-Karim Rafeq, *The Province of Damascus, 1723–1783*, Beirut, 1966, 42 et sqq. Possibly misled by the apparently common Damascene family name of 'Imādī, Rafeq (or his sources) has erroneously identified Ja'far Efendi al-'Imādī (kadı in 958/1551) as a Damascene (p. 45): cf. Atâ'î, 136–7.

[60] Celâlzade, *Selimname* (Kerslake), ff. 36b–37a. For Pîrî Paşa as 'kazasker of the Arab lands' (cf. above, p. 45), see Atâ'î, 189. If the facts about the kazaskerlik given by Atâ'î are correct, Pîrî Paşa must have held the office while Grand Vezir and not before he became Grand Vezir, as Atâ'î seems to suggest. Atâ'î's account is not altogether satisfactory in several respects, however: cf. below, p. 259.

[61] Atâ'î, 142, 270, 271, 236, 442–3, 283.

[62] Ibid., 270, 442–3, and above, n. 53.

Kütahya was made a mevleviyet in about 970/1562–3 by the joining of a müderrislik with the kadılık, while Kefe seems to have become a mevleviyet in 992/1584 by the joining of the offices of kadı and müfti.[63] Sometimes these were *ad hominem* arrangements—that in Kefe was dissolved after a year and that in Kütahya when the holder moved on to his next post, though Kütahya was re-created a mevleviyet in 989/1581—[64] but many of them had become permanent by the end of the century.

The motivation behind the creation of these mevleviyets is by no means clear in every instance. It is probable that some were created to meet a genuine administrative need. In the case of Bosnasarayı, for example, the first kadı to be appointed with a mevleviyet, Molla Bālī Bosnawī, was given a brief to deal with a troublesome situation created by a group of Bayrāmī şeyhs, followers of Shaykh Ḥamza Bālī (Şeyh Hamza Bâlî), a group who, despite stern measures by this kadı, appear to have continued to cause difficulties down to Atâ'î's own day.[65] It seems entirely likely that the giving of a mevleviyet was intended as a means of making possible—both in hierarchical terms and in terms of offering an inducement—the appointment of a scholar more highly qualified, and therefore, perhaps, more to be respected, than the normal run of kasabat kadıs. It may even be that it was done to make possible the appointment of this particular scholar, a native of Bosnasarayı who had taught to the *dâhil* level. The unrest in Anatolia in the latter half of the sixteenth century may in similar fashion have prompted the elevation of some of the kasabat kadılıks there to mevleviyet status. In the creation of some *ad hominem* mevleviyets it is possible to discern the hand of favouritism: for example, in the creation of a mevleviyet in 959/1552 for Molla 'Abd Allāh b. 'Abd al-Ḳādir (Molla Abdullah) by combining the kadılıks of Galata and Eyüp, and of one for Molla Muḥammad b. 'Abd Allāh (Ḥubbī/Hubbî Mollası) in about 970/1562–3 by combining the kadılık of Kütahya with the müderrislik of the Germiyanoğlu medrese in the same city. Neither scholar had, strictly, gone through the stages necessary to qualify him for a mevleviyet, but the former was closely connected with the Grand Vezir Rüstem Paşa, the latter with Şehzade Selim, later Sultan Selim II.[66]

[63] Ibid., 311, 318–19.

[64] Ibid., 317.

[65] Ibid., 283. For Şeyh Hamza Bâlî, see below, p. 238.

[66] Atâ'î, 132–3, 311–12. Molla Abdullah's career deserves a brief mention. Having taught at a 20-akçe medrese, he turned to the career of a kasabat kadı, eventually becoming kadı of Selânik and Sidrekapsi jointly, with 300 akçe, and then of Galata and Eyüp jointly, then *müfettiş* of the *evkaf* in Egypt. Despite the reported 300-akçe salary, he seems to have become the holder of a mevleviyet, if Atâ'î is to be trusted, only after his reappointment to the joint kadılık of Galata and Eyüp in 959/1552, following his service as *müfettiş*.

On the question of a 300-akçe, non-mevleviyet kadılık, see also the career of Molla Ḥusām al-Dīn, known as Papas Hüsam (d. 961/1554) in Atâ'î, 11–12. Âli, who goes into some detail on the kasabat kadılıks, remarks that under the 'old law (*kanun-i kadime* [*sic*])', a man who reached the 150-akçe level remained there with neither increase nor decrease (*gıbbeşalike yüz elli namında olan kazalara salik olup ne eksile ve ne arta*) but that 'in our

These mevleviyets were distinctly *ad hominem* (though both—or strictly, all three—kadılıks were in later years re-created mevleviyets) and contrast with most subsequent creations, where the appointees were fully qualified to become holders of mevleviyets.

In the creation of some, and the perpetuation of most, of these mevleviyets where the reason for raising the status of the kadılık is not immediately apparent one can perhaps see the operation of a factor which greatly influenced the elaboration of the learned hierarchy, namely the sheer numbers of those seeking posts. The need to provide suitable jobs for an ever-growing number of even qualified job-seekers, much less the unqualified ones described by writers such as Koçu Bey, is likewise almost certainly responsible for the considerable elaboration of the grades of medreses which occurred from the late sixteenth century onwards. As discussed above, in Mehmed II's time there were, as far as one can tell, basically three grades of medreses above the 40-akçe level: *hâriç*, *dâhil* and the Sahn. By the end of the reign of Süleyman (1566) the *altmışlı* class and possibly the Süleymaniye medreses as a class had come into existence. By the eighteenth century these four or five classes had grown to twelve: the *hâriç*, *dâhil* and *altmışlı* classes had all been divided into two, for example, and other classes had been added. There seems to have been very little, if any, educational advantage in this elaboration, but there certainly was an advantage, in a profession which had become vastly overcrowded, of lengthening the period of education and, when one had finally become a müderris, of providing at least the illusion of advancement by the introduction of a number of grades which were unnecessary except in bureaucratic terms. The latter half of the sixteenth century does, arguably, represent a significant turning point in the development of the hierarchy: until that time one can argue that its evolution had been largely functional, that the nature of the hierarchy ensured that those who reached the highest learned offices would have received a thorough grounding in the necessary sciences through both their education and their teaching, and practical training in the application of the law through holding several important kadılıks; but that after that time, that is, from toward the end of the sixteenth century, the elaboration of the hierarchy was much more negative from the point of view both of learning and of good administration, being essentially an attempt to provide jobs and honours for an ever-increasing number of those seeking both.

To return to the earlier days of the state, however, one must remark upon several other provisions of the Kanunname of Mehmed II if only to avoid giving the impression that, at least in these early days, the establishment of a hierarchy for the ulema meant that a scholar, once enmeshed in its toils, had no option but the long grind to the top of that particular profession. It is clear from the Kanunname that the movement of scholars into other fields

time' kadıs at the 150-akçe level could obtain two, then three, then four hundred akçe; and he cites one instance of a (kasabat) kadı in Egypt who, in 999/1590–1, obtained a 499-akçe kadılık (TY 5959, f. 87a).

than the learned profession is envisaged: if a candidate for office in the learned profession, that is, a *mülâzım*, wishes to take up a military career instead, he is to be given a fief yielding 20,000 akçe; *dâhil* and Sahn müderrises and 300-akçe kadıs may hold the office of defterdar, and the first two may also become nişancı; and 500-akçe kadıs may become *beylerbeyis* (beylerbeyi).[67]

To give two examples of such crossing of career lines, one might cite first the career of Molla Sinān al-Dīn Yūsuf b. 'Alī Yegānī (Sinaneddin Yusuf: d. 945/1538–9) who taught in at least three medreses before reaching the İznik medrese where, in about 921–2/1515–16, he was receiving 45 akçe a day. He then became kadı of Amasya, then defterdar, then kadı of Damascus in 927–8/1521, after which 'posts diverse of rank', as Mecdî writes, he returned to teaching, according to Taşköprüzade at the Sulṭān Murād Khān medrese in Bursa, according to Mecdî at the Yıldırımhan (Bayezid I) medrese in Bursa, and then, according to both, with 70 akçe a day at the Sahn, from which he was subsequently removed, dying in retirement with a pension of 80 akçe.[68] The second example is Ja'far Çelebi b. Tājī Bey (Tacizade Cafer Çelebi: d. 921/1515) who, as a müderris, having reached the Mahmud Paşa medrese in Istanbul, the status of which is uncertain but which was at least a 40-akçe medrese, left teaching to become nişancı twice, from 903/1497–8 to 917/1511 and again early in the reign of Selim I, and then Anadolu kazasker in Sha'bān 920/October 1514, in which post he was executed on 8 Rajab 921/18 August 1515.[69] On a different level, though the possibility is not mentioned in the Kanunname, it was certainly still possible in these relatively early days for a member of the ulema to rise to the office of Grand Vezir: for example, Çandarlızade İbrahim Paşa, the son of Halil Paşa, who held the office from 903/1498 to 905/1499, and Pîrî Mehmed Paşa, Grand Vezir from 924/1518 to 929/1523. If men trained in the learned profession did not, perhaps, scale such heights in the later sixteenth century, at the same time the crossing of career lines did not come to a halt. Molla Mahmud Bey (d. 978/1570–1), for example, son of a defterdar and nephew of a Müfti, having taught to the 40-akçe level, received the (kasabat) kadılık of Syrian Tripoli with 100 akçe a day, and then became *mutawallī* (*mütevelli*) (administrator) of the *evkaf* of Selim I and of Süleyman. Thereafter becoming involved in the provincial administration, he served successively as

[67] Kanunname, 14, 20, 21. The offices of the defterdar and the nişancı later became more or less the preserve of the *kalemiye*, the bureaucratic profession: see Itzkowitz, as in n. 8 above. Some of the details in these passages of the Kanunname are almost certainly anachronistic in respect of the time of Mehmed II (cf. above, pp. 32 et sqq.), but as a whole they represent kinds of movement not uncommon in his time as well as later.

[68] Taş, i, 653–5; Mecdî, 405. He is mentioned as müderris in İznik with 45 akçe in TS/D5781. The dates for his period of office as kadı of Damascus are taken from Ibn Ṭūlūn's *al-Thaghr al-bassām*, 310–11, where the author identifies the new appointee as kadı of Amasya.

[69] Taş, i, 487–9; Mecdî, 335–7; V. L. Ménage, 'Dja'far Čelebi' in *EI*².

timar defterdarı of Rumeli; *mal defterdarı* of Egypt; sancak bey of Aydın; and then in the same capacity in Rhodes, the last of his posts listed in Atâ'î.[70]

What then were the hurdles facing a young man aspiring to a scholarly career in the early sixteenth century? Obviously he had first to complete his medrese education, though neither the Kanunname nor the biographical sources give much guidance as to precisely what stages he had to pass through. While the biographical sources normally mention the professors from whom the student received lessons, they rarely mention the medrese at which the professor was teaching, so that it is extremely difficult to follow a student from medrese to medrese. Taşköprüzade, for example, names his teachers and the works he studied under them in his autobiography appended to the *Shaḳā'iḳ*, but even he does not give the medreses in which he studied. This would appear to reflect the fact that what was learned, and from whom it was learned, was considerably more important than where it was learned. None the less, it seems likely that the course of studies was so arranged that the students would pass through the same grades of medreses as those in which they would later teach: such would in any case seem to have been the practice in later times.

Having completed his education, the young scholar then became a *mülâzım*, that is, a candidate for office. In the learned hierarchy the term *mülâzım*—literally 'one who is assiduous, constant in attendance'—was used for a candidate for office at any stage in his career, for the müderris or kadı awaiting his next post as well as for the beginner, the term in Ottoman usage perhaps reflecting the fact that the candidates were in constant attendance theoretically upon the sultan but in fact more usually upon the kazaskers, in whose hands lay the responsibility for nominating men for most posts until near the end of the sixteenth century. Candidates for their first post were generally distinguished, where necessary, as 'new *mülâzıms*' (*mülâzımîn-i nev* or *nev mülâzımîn*); but as the present discussion is concerned almost entirely with these 'new *mülâzıms*', the term *mülâzım* by itself is to be understood in that sense unless otherwise noted.

The system for investing students as *mülâzıms*, or granting *mülâzemets*, was thoroughly reformed and reorganized in the mid-sixteenth century, as mentioned below, but it existed in some form, difficult to define precisely, from well before that time. In essence, a student's attaining the status of *mülâzım* depended on his gaining the sponsorship, after completing or nearly completing his studies, of the holder of one of a number of high-ranking learned posts, the scholars who held these posts each having the privilege on certain occasions of investing a certain number of students, his own or others, with the right to become *mülâzıms*. Usually, but perhaps not necessarily, this right was earned by the student through the performance of some service, far and away the commonest form of which was acting as *muid*, or *repetiteur* for a müderris, though one occasionally also finds students

[70] Atâ'î, 144.

becoming *mülâzıms* through acting as *tadhkireji* (*tezkereci*) for a kazasker or *fatwā emīni* (*fetva emini*) for the Müfti.[71] It also seems to have been customary at the death of a scholar for those of his students who were sufficiently advanced in their studies to become *mülâzıms*.[72] Once having obtained *mülâzım* status the student was eligible for appointment to a post.

Until near the middle of the sixteenth century the enrolment of a student who had completed, or nearly completed, his studies as a candidate for office and the subsequent appointment of him to a post seems to have been rather a disorganized process. Atâ'î[73] writes that before Ebüssu'ûd Efendi became kazasker of Rumeli, an office he held from 944/1537 to 952/1545, no attention had been paid to the registration of *mülâzıms* and that, consequently, it was possible for individuals to enter the ranks of office-holders each in a different manner. As a result of complaints by a group of students that Ebüssu'ûd Efendi's colleague, Çivizade, the Anadolu kazasker, was preventing them from becoming *mülâzıms*, Sultan Süleyman charged Ebüssu'ûd Efendi with looking into the matter. In doing so, the latter established the basic rules that brought some order to the method by which students were enabled to become candidates for office. First, it became the rule that the kazaskers should keep a separate register specifically for the purpose of enrolling *mülâzıms*. Second, as noted above, the various high officers of the learned profession were entitled at intervals to invest a stipulated number of students, whether their own or those of others, with the right to become enrolled as *mülâzıms*. Ebüssu'ûd Efendi fixed the interval at which this investiture of students as *mülâzıms*, called a *nöbet* (or *nevbet*), might take place, namely once in seven years, though this interval was by no means always maintained in later times. As seen above, for example, there appear to have been two 'regular' *nöbets*—as distinct from any possible 'ceremonial' investitures, apparently called *tashrīf* (*teşrif*) and defined just below—while Abdurrahman Efendi was Rumeli kazasker (958–64/1551–7), namely in 959

[71] See, for example, Atâ'î, 176, 253, 297 (*muid*); 121, 238, 278 (*tezkereci*); 57, 290, 566 (*fetva emini*). As an example of the second, see also TS/D8823, p. 3 (left), for the following entry in the section on *mülâzıms* in attendance on the Rhodes campaign: 'Mevlânâ Taceddin Germiyanî, who was *tezkereci* for the late Şah Efendi [Fenârîzade Mehmed Şah: see below, pp. 263–8] and has become *mülâzım*'. On the office of *fetva emini*, see Heyd, 'Fetva', especially pp. 48 et sqq. (cf. below, Chapter V, n. 2).

[72] Atâ'î, 13, 49, 147–8, 228. Âli (TY 5959, f. 86a) has a very detailed account of the arrangements for granting *mülâzemets* to the students of a scholar who dies. Cf. two entries in a *Mühimme Defteri*, one of which is dated 25 Ramaḍān 963/2 August 1556 and decrees that *mülâzıms* are to be taken from amongst the *danişmends* of the late retired kazasker Ma'lūl Emīr Efendi (Ma'lûl Emir: Molla Muḥyi 'l-Dīn Muḥammad b. 'Abd al-Ḳādir: see Taş, ii, 97–8; Mecdî, 484–5; and the very full biography in the *Katâ'ib*, ff. 410b et sqq. Ma'lûl Emir resigned from the Anadolu kazaskerlik in 954/1547 but continued to teach until his death in 963/1555–6). The other is dated 15 Rabī' II 964/15 February 1557 and specifies that three of Ma'lûl Emir's *danişmends* are to be accepted (or, perhaps, have been accepted: I have notes only on the catalogue summaries, not the originals of these two entries) as *mülâzıms* (*Mühimme Defterleri*, ii, nos. 1221, 2012).

[73] Atâ'î, 184.

and 963; and Atâ'î states that in the time of his successor, Molla Ḥāmid (Hâmid), Rumeli kazasker from 964/1557 to 974/1566, *nöbet*s were decreed in Dhu 'l-Ḥijja 968/August–September 1561 and in Sha'bān 973/March 1566: thus the period 958 to 974 saw *nöbet*s in 959, 963, 968, and 973.[74] Finally, Ebüssu'ûd Efendi also stipulated the number of students to whom each entitled office-holder in the learned profession might grant *mülâzemet*s; and though the numbers which he fixed are not reported, figures have been given above which comprise a partial list for the *nöbet*s of 959 and 963,[75] while Atâ'î gives another partial list for the *nöbet* of 973, in which the kazaskers were each permitted to invest ten students as *mülâzım*s, 'the kadıs of the three cities' (*bilâd-i selâse kadıları*, i.e. those of Istanbul, Edirne and Bursa) five each, and 'the other kadıs of the throne' (*taht kadıları*, a term of uncertain application, but almost certainly comprising at least the other kadıs mentioned in the decree of 963) three each: the figures for the kazaskers at least, and probably the others as well, applied down to Atâ'î's own day.[76]

In addition to this more or less regular sort of investiture, there seem to have been investitures on a number of special occasions, both state occasions such as the accession of a sultan, a victory or the birth of a prince, where the right of investiture extended to a number of scholars, and also more personal occasions such as a scholar's acceding to a high learned office, where the right of investiture was limited to the individual involved. Regularly used in connection with such occasions—and very probably the term used to designate them—is the word *tashrīf* (*teşrif*), 'honouring': for example, *teşrif-i cülus* and *teşrif-i sefer*, the honouring of accession and of campaign respectively; and for the more personal occasions, *teşrif-i sadaret* and *teşrif-i fetva*, the honouring of one's becoming kazasker and Müfti respectively.[77] Much

[74] n. 55 above and Atâ'î, 243.

[75] p. 45 and n. 55 above. Also mentioned in the same entry in the *Mühimme Defteri* are müderrises with salaries of 80 akçe and retired scholars with pensions of 80 akçe, from each of whom three *mülâzım*s are to be accepted. An earlier note in the same volume (no. 866), dated 14 Rajab 963/24 May 1556, which may well be the original instruction for the *nöbet* and which also makes clear that *mülâzım*s are to be accepted according to previous custom (*evvelden olageldiği üzere*), states that whereas it had previously been the custom for ten *mülâzım*s to be accepted from the Müfti, the number is now to be thirteen: see below, pp. 301–2.

[76] Atâ'î, 243, 186. Uzunçarşılı (*İT*, 46) has taken these figures to apply to the *nöbet* of 968; but while the statement on p. 243 of Atâ'î is ambiguous, it is clear beyond doubt from p. 186 (Uzunçarşılı's reference in n. 2 to p. 183 needs correcting) that the figure for the kazaskers, at least, applied only from 973. See also Hezârfen, f. 136b, where the author states that the right of the kazaskers each to invest ten *mülâzım*s started in 973 and had continued down to *his* own day.

[77] Atâ'î, 248–9, 239, 17, 165. See also a passage from the eighteenth-century historian Mehmed Râşid in which it is stated that on the occasion of their appointments and on the occasion of the birth of a prince it had been the practice for the Müftis to grant sixteen *mülâzemet*s, the Rumeli kazasker eight, and so on, 'by way of honouring [the occasion]' (*teşrif namına*) (Râşid, iv, 49, cited also in Uzunçarşılı, *İT*, 50. Uzunçarşılı understands *teşrif* as a technical term applying to the occasion of the appointment of the Müfti (pp. 47,

honour was indeed involved in the investing of *mülâzıms*, and the matter was taken seriously. Molla Khayr al-Dīn (Hayreddin), Hoca to Süleyman, and Molla 'Aṭā' Allāh (Ataullah), Hoca to Selim II, for example, themselves not having students other than the sultan, were at some pains to choose the best available *danişmends* to invest as *mülâzıms*.[78] Similarly the right to grant *mülâzemets* was sometimes used as a means of showing particular honour to individual scholars or of placating those who were for some reason aggrieved. When Ebüssu'ûd Efendi, by this time Müfti, completed his great *tafsīr* in 973/1566, not only was he given a rise in salary and robes of honour to mark the occasion, but also all his students were accepted as *mülâzıms*. At the same time a *nöbet* was decreed, and as a sop to the kazaskers (*tatyib-i hatır için*)—who may well have been most jealous of the fact that the Müfti's salary now surpassed their own—each was allowed to invest ten *mülâzıms*.[79] On another occasion, Çivizade, while a müderris, contrived to bring down on his head the wrath of Kemalpaşazade, then Müfti. After the vezirs had interceded on Çivizade's behalf, Kemalpaşazade forgave him and was compensated (*taṭyīban li-ḳalbihi*) with gifts and the right to grant three *mülâzemets*.[80]

The system of investing *mülâzıms* thus developed would seem to have provided the state with a means of controlling both the quality and the quantity of the intake of students into the learned profession. The need for the recommendation of a high-ranking scholar provided a control on the quality of the intake—as long, of course, as the scholar were reasonably honest—while the quantity could be controlled by altering a number of factors, for example, the period at which the regular investiture (*nöbet*) took place, the number of ceremonial occasions on which special investitures might occur or the number of students the holder of any given office might invest as *mülâzıms*. Interesting, though extremely belated, attempts to control both the quality and the quantity of *mülâzıms* are represented by two decrees of the year 1715, by which time the system had very nearly

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206), but there is no apparent reason for so limiting its application).

[78] Atâ'î, 248–9 (cf. the *Katā'ib*, ff. 410b–411a), 151. Uzunçarşılı's account of the facts concerning Hoca Hayreddin (*İT*, 46–7), which implies that he was empowered to invest twenty-five students as *mülâzıms* at Süleyman's accession in 926/1520, is misleading. According to the *Katā'ib*, he invested ten on this occasion and then a second batch, of unspecified number, on another occasion which el-Kefevî does not identify, but is fairly certainly the conquest of Belgrade (927/1521), as in Atâ'î, 248–9. The two lots together may have numbered twenty-five, though I have found no evidence to support this.

[79] Atâ'î, 186, and below, pp. 292–3.

[80] Mank Ali, 338–41; Atâ'î, 134; *Katā'ib*, f. 401b. Uzunçarşılı (*İT*, 64, n. 2) erroneously identifies the wronged party as Fenârîzade Muhyiddin Çelebi. The same story, with a rather different thrust, is to be found in Peçevî, i, 56. In a translation of Peçevî into modern Turkish (*Peçevî Tarihi*, trans. Murat Uraz, 2 vols., Istanbul, 1968–9) the translator has likewise misidentified the participants, confusing Çivizade with Kemalpaşazade and Kemalpaşazade with Ebüssu'ûd Efendi, so that the whole point of Peçevî's story is lost (i, 37–8).

completely broken down. Indicative of the degenerate state into which the practice of investing *mülâzıms* had fallen is the fact that it is considered a reform that it should be inquired of the intending *mülâzım* how old he is, under whom he has studied, and what he has studied. In a second decree, aimed at reducing the swollen numbers of *mülâzıms*, it is stated, among other provisions, that the Müfti, who, as noted above, had formerly been allowed to invest sixteen students with the right to become *mülâzıms* on taking up his post, will henceforward be allowed to invest only three.[81]

To return again to the earlier period, however, one finds that once the *mülâzım* was enrolled he waited his turn until a post fell vacant. After the reorganization this part of the process seems to have worked relatively smoothly, but injustices appear to have occurred in the comparative chaos of the earlier period. One may cite not only the case of the group already mentioned which felt itself to have been ill-treated at the hands of Çivizade, but also the experience of Kadirî Çelebi, the Müfti in the time of Süleyman, who spent nine years in great hardship as a *mülâzım* before receiving an appointment, probably at the beginning of the second decade of the sixteenth century.[82]

On the student's enrolling, the practice came to be—if it was not so right from the beginning of the sixteenth century—that he chose which area he preferred to work in, whether the European or Asiatic part of the empire, and signed on with the appropriate kazasker. He also had to make the more crucial choice of whether he wished to become a müderris or a kadı: at this stage of his career he would, of course, become a kasabat kadı. As a corollary to the fact noted above, that one had usually to teach through the various grades of medreses before becoming eligible for one of the mevleviyets, it follows that the grades of the kasabat kadılıks formed a career in themselves, and one did not normally ascend from one of them to a mevleviyet. In choosing a kasabat kadılık, then, a student was in effect shutting himself off from the high offices of state and, provided that he intended to stay within the learned profession, dooming himself to a lifetime of service in the kasabat kadılıks unless he could somehow get back into the medrese stream.[83]

References in three separate contexts in Âli suggest that the lowest kadılıks of which the hierarchy normally took cognizance were those at the

[81] Râşid, iv, 49–50; Uzunçarşılı, *İT*, 50–1.

[82] *Katā'ib*, f. 402a, and below, pp. 257–8.

[83] The kasabat kadılıks of Rumeli came to be grouped into nine classes, those of Anadolu into ten, and those of Egypt into six. For an undated list of those in Rumeli and the (Aegean) islands which shows the class of each, see Uzunçarşılı, *İT*, 92, n. 2. Serez (Serrai), Silistre (Silistra) and Kefe, for example, are in the highest rank, Esedabad (in the sancak of Eğriboz (Euboea)) and Draç (Durazzo) in the lowest.

25-akçe level;[84] and these would thus seem to be equivalent to the 20-akçe medreses in being the level at which a fully-trained medrese student would expect to receive his first appointment.[85] If this reading of Âli is correct, it would seem that simply in terms of his daily allowance the kasabat kadı was better off financially at the beginning of his career than the new müderris; but in any case, given the fees the kadı could expect to receive, he must have had a considerably greater income. In other words, the career of the kasabat kadı was more remunerative in the short term than that of the müderris but offered much more limited prospects in the long term. If a low-ranking müderris wanted to change over to the career of kasabat kadı, moreover, he was immediately better paid: a provision of the Kanunname states that if a 20-akçe müderris in the *içel* were to become a kadı, he was to be given a 45-akçe kadılık.[86]

[84] Âli, TY 5959, ff. 86b, 87a. Speaking of the new *mülâzım* seeking a post, for example, he says: *matlabı kaza ise yirmi beş akçelik kaza verile*. This is, however, a slightly vexed point inasmuch as Koçu Bey mentions the 20-akçe kadılık as the lowest kasabat kadılık (in the hierarchy) and says that it is at that level that the first appointment is made (Koçu Bey (2), 107). Of the related texts or translations referred to in n. 20 above, the text published by Ünver (p. 29) has the same sense, if not the same words, as Koçu Bey (2), but the lowest kadılık mentioned in Unat's text (p. 451) is the 80-akçe level (cf. Uzunçarşılı, *İT*, 157), the lowest in Behrnauer's translation (p. 722) the 40-akçe level (*oder mindestens 40*). Âli in fact mentions the 20-akçe kadılıks in his discussion of the arrangements for the students of mollas who die before the students can become *mülâzıms* in the normal way, saying that the older students should immediately (or ultimately, after further study) become *mülâzıms* and be appointed to 20-akçe kadılıks or 15-akçe medreses, that is, it would seem, at a level slightly below that obtaining for those who become *mülâzıms* in the normal way (f. 86a): it may be that this rather special case is the basis for Koçu Bey's statement. Âli is consistent, moreover, both with regard to 25 akçe being the starting point for the kadı and also, as in the context just mentioned, with regard to the 5-akçe differential between the beginning kadı and the beginning müderris. Discussing the particular importance of the Hoca, for example, he notes that *mülâzıms* invested by the Hoca are appointed to medreses with 25 akçe and to kadılıks with 30 akçe, while those of the other entitled ulema are appointed with 20 and 25 akçe respectively (f. 87a: the text is slightly corrupt, but there seems little doubt that it must be read thus). It is difficult to reject Âli's detailed and consistent account in favour of Koçu Bey's unadorned statement, about the exact wording of which there are important differences among the available versions and for which in any case a possible explanation consistent with Âli's account can be offered; but the point cannot be said to be decided beyond doubt.

[85] It would appear from the Kanunname—and was certainly the case by the mid-sixteenth century—that 20-akçe medreses were the lowest to figure in the hierarchy, but one must note the existence of medreses with still lower salaries: in TS/D8823, p. 17 (left), for example, there are references to the 10-akçe Darülhadis medrese in İznik and the 10-akçe Edremit medrese. The background and qualifications of those who taught in these medreses need further study, but for present purposes it suffices that a fully-trained medrese student would, by at least the mid-sixteenth century, expect to receive a teaching appointment carrying a salary of not less than 20 akçe. In regard to the kasabat kadılıks, the document in Uzunçarşılı, *İT*, referred to above (n. 14)—the one plate lists only a small number of the kadıs in Anadolu, of course—shows kasabat kadılıks with allowances ranging from 10 to 100 akçe.

[86] Kanunname, 20.

Illustrative of the workings of this process is the career of Molla Muṣṭafā b. Muḥammad, known as Molla Bostan. Having become *mülâzım* in 932/1525–6, he was appointed in 935/1528–9 to a medrese in Bursa with a salary of 25 akçe. Poverty, however, forced him to abandon teaching and become a kasabat kadı, in which capacity he served in several towns. About the year 944/1537–8, the two kazaskers, Ebüssu'ûd Efendi and Çivizade, the latter a teacher of Molla Bostan's, spoke well of him in the presence of Sultan Süleyman; and as a result of their intercession, and of the sultan's interest in a monograph that Molla Bostan had recently written, it was decreed that he should be appointed to a medrese. In the event, he was given a 40-akçe medrese, from which he rose by degrees through the medreses and the mevleviyets eventually to hold the office of kazasker of Rumeli from 954/1547 to 958/1551. Of interest in this story is the fact not only that he was forced by poverty to abandon teaching and become a kasabat kadı but also that he was able to re-enter the medrese stream. It would seem, however, that it was only by the intercession of the two kazaskers, and indeed by virtue of an imperial decree, that he was able to do so.[87]

An insight into the workings of the learned profession of a kind all too rarely offered by the early sources is to be found in an anecdote concerning the appointment of Kemalpaşazade to his first post.[88] In 908/1502–3, when he sought his first appointment, the kazasker of Rumeli was Hacıhasanzade and the kazasker of Anadolu was Molla 'Abd al-Raḥmān b. 'Alī (Müeyyedzade), an old friend of Kemalpaşazade's family. When Kemalpaşazade presented himself to Hacıhasanzade and requested that he be appointed to the Taşlık (Ali Bey) medrese in Edirne which was then vacant, Hacıhasanzade urged him to give up the thought of receiving a medrese and to accept an appointment to a kadılık instead. Kemalpaşazade sought the advice of Müeyyedzade who counselled him to feign acceptance of Hacıhasanzade's proposal; and when, on the next day, the latter petitioned the sultan, Bayezid II, to appoint Kemalpaşazade to a kadılık,[89] Müeyyedzade intervened, speaking highly of Kemalpaşazade's abilities and asking that he not be wasted in a kadılık but rather that he be given the vacant Taşlık medrese so that he might busy himself with the pursuit of learning. Bayezid II was won over by Müeyyedzade's arguments and not only appointed Kemalpaşazade to

[87] Atâ'î, 129–30 (see also below, Chapter V, n. 85). On the date of his becoming *mülâzım*, cf. Atâ'î, 248, where the author says this occurred in 926/1520. In the light of Molla Bostan's later career, the date 932/1525–6 seems the more likely, but there appears to be no definite evidence either way. On the point concerning poverty forcing scholars into the kasabat kadılıks, see also Atâ'î, 134 (Molla Bālī) and 259 (Molla 'Abd al-Raḥmān 'Alamshāh), and below, n. 89 and p. 62.

[88] This anecdote is to be found first, and in fullest form, in Âşık Çelebi, ff. 37a–b; in very summary form in Mecdî, 384; and again in some detail in Âli, MS. Add. 10,004, ff. 140b–141a. See also below, pp. 228–9.

[89] In relation to the question of poverty just discussed, one might note that Âli has Hacıhasanzade say at this point that Kemalpaşazade is seeking a kasabat kadılık because of his poverty (*fakrına binaen*).

the Taşlık medrese but also charged him with writing a history of the Ottoman dynasty in Turkish to serve as a companion piece to that being written in Persian by İdris Bitlisî.

Âli sees in this attempt by Hacıhasanzade to induce Kemalpaşazade to accept a kadılık an example of a means whereby he was able to maintain himself in the office of kazasker (first in that of Anadolu and then in that of Rumeli) for twenty-five years. He writes:

> Molla Hacıhasanzade, who became kazasker for twenty-five years continuously through purposing the turning away and hindering of those capable of achieving renown by directing them to the path of kaza [kadılık] and of those who were spoken of as outstanding in excellence among their contemporaries by impeding their passage through the ranks; and who had by this stratagem, over so long a period, found safety from the crush of those ulema who, by right of learning and excellence, might have passed through the ranks and become rivals (*mu'ārid*) to him ...[90]

In other words, controlling as he did the nominations to all learned appointments in whichever of the areas he was then kazasker, he would urge young scholars to enter the relative dead end of the career of kasabat kadı and thereby prevent them from passing up through the ranks of medreses to become candidates for mevleviyets and thus rivals to his own position.

Provided that Âli's analysis of Hacıhasanzade's motives is correct—and one must remember that Âli is writing nearly a century after the event—it would appear that already at the beginning of the sixteenth century the career of a kasabat kadı was regarded as a dead end. This in turn implies that the two generalizations already hinted at—that it was not normal practice either for the kasabat kadı to return to the medrese stream or for him to make the jump to the mevleviyet kadılıks—were by then established: both are, of course, in a sense implicit in the Kanunname in so far as neither eventuality is mentioned, though, equally, neither is specifically excluded. Though the operation of the principles embodied in these generalizations is borne out by the vast majority of the careers of scholars listed in the biographical dictionaries who came to maturity after the beginning of the sixteenth century, both generalizations require some degree of qualification.

In regard to the first, for example—that kasabat kadıs did not normally enter or re-enter the medrese stream—two caveats must be entered, the first of which is that one must explicitly exclude two areas in which movement between kadılıks and medreses was not uncommon: first, the kadılıks and medreses *below* the level at which the hierarchy began to operate, whose holders received perhaps five, ten or fifteen akçe a day; and second, those at the top of the hierarchy, since it was not uncommon for holders of mevleviyet kadılıks to go back to medrese teaching as a form of either temporary or permanent retirement from service as a kadı or a kazasker. The

[90] Âli, loc. cit. Cf. Chapter I, n. 61.

second caveat is that this generalization, like most, while generally applicable, is not universally so. Analysis of the exceptions in Taşköprüzade/Mecdî is difficult on two grounds, first that one cannot, in the period covered by them, be absolutely sure of the status of either the medreses or the kadılıks involved, and second, that neither author is inclined to give the sort of detail that Atâ'î gives in, for example, the biography of Molla Bostan, alluded to just above, from which it is at least arguable that Molla Bostan's re-entering the medrese stream was exceptional. In any case, among scholars whose careers fall in the first half of the sixteenth century note should be made of Sinaneddin Yusuf, mentioned above; of Molla Pîr Aḥmad Çelebi b. Nûr al-Dîn Ḥamza; of Molla 'Abd al-'Azîz; of Molla Ja'far al-Bursawî, known as Nihālî; and of Molla Muḥyi 'l-Dîn Muḥammad b. 'Abd al-Awwal, known as Saçlı Emir or Emir Gisüdar.[91] This last, for example, came from Persia in the early years of the sixteenth century, was given a medrese by Bayezid II, then turned to the career of a kadı, serving, according to Mecdî, in Serez and Filibe, among other places. In Süleyman's time he returned to the medrese stream, teaching as far as the Sahn and then becoming kadı successively in Aleppo, Damascus and Istanbul, in retirement from which last post he died in 963/1555–6. In Atâ'î one might note the careers of six scholars as exceptions, in three of which the subjects changed careers under rather special circumstances, while in the other three Atâ'î merely notes the change without comment.[92] As an instance of the former one might cite the case of Molla Aḥmad b. 'Abd al-Laṭîf, known as Bukhârî-zâde (Buhârîzade), who, having taught to the 40-akçe level, took up the career of kasabat kadı and then, at the urging, and with the aid of his kinsman, the Rumeli kazasker Abdurrahman Efendi, returned to the medrese stream, reaching the Sahn in 982/1575. In the case of Molla Sayyid Muḥammad al-Naḳîb (Yavuz Çelebi), on the other hand, Atâ'î merely notes that he started off his career as a kasabat kadı, then turned to the medrese system in which he was given a 40-akçe medrese and subsequently worked his way up to the Süleymaniye Darülhadis—probably by this time the premier medrese in the empire—to which he was appointed in 1012/1604: he later became kadı of Eyüp and then nakibüleşraf. Apart from these relatively rare exceptions in the biographical sources, moreover, one ought to mention a clause contained in the kanun of 1006/1598 whereby kadıs—without question kasabat kadıs—are forbidden to become müderrises in the *içel*,[93] a provision which would effectively block their route to high office in the learned profession. The presence of the provision, however, suggests that kadıs had in practice been making their

[91] See above, p. 50; and Taş, i, 655–6, 659–60, ii, 83–4, 95–7; Mecdî, 405–6, 407–8, 473–5, 482–4.

[92] Atâ'î, 56–7, 252–3, 256–7, and 325–6, 498–9, 525–6 respectively. The second and fifth of these references are the examples given immediately below in the text.

[93] Uzunçarşılı, *İT*, 245; Baltacı, *O. Med.*, 631.

way back into the medrese stream, though it may well never have been intended that they should do so.

The second generalization, that kasabat kadıs did not normally, after the beginning of the sixteenth century, make the jump to the mevleviyets needs only the qualification that 'normally' must be emphasized, since exceptions do occur, though rather less frequently than do exceptions from the first generalization. Again, in the period covered by Taşköprüzade/Mecdî, there is the problem of the status of the kadılıks involved: Mollas 'Ubayd Allāh b. Ya'ḳūb and Fenârîzade Zeyneddin, for example, rose from kasabat kadılıks to the kadılıks of Aleppo, and Damascus and Aleppo, respectively not long after the Ottoman conquest of those two cities;[94] but whether this means that these scholars' careers represent exceptions to the rule or, on the other hand, that Aleppo and Damascus were not yet regarded as mevleviyets is not entirely clear. The only totally unambiguous examples so far located are, in Atâ'î, Molla Abdullah and Hubbî Mollası, whose careers have been discussed above; and in Taşköprüzade/Mecdî, Molla Muḥyi 'l-Dīn Muḥammad Yūsuf b. Ya'ḳūb, known as Ecezade, who taught as far as the İznik medrese, then became a kasabat kadı, eventually serving in Trabzon, from which, after the accession of Selim I (918/1512), he became kadı in Selânik and then in Bursa, dying while in retirement from that post in 924/1518.[95] As already noted in the cases of Molla Abdullah and Hubbî Mollası, however, so also in the case of Ecezade favouritism clearly played a part. According to Mecdî, Ecezade won Selim's regard and affection while the latter was governor in Trabzon; and it is certainly implicit that it was as a result of this affection that Ecezade received the kadılıks of Selânik and Bursa. That cases like this—whether or not favouritism was involved—occurred more frequently than one might suppose from the evidence of the biographical sources, however, is suggested once again by the kanun of 1006/1598, in a passage immediately following the one quoted above: 'Let the *mülâzım*s of those of the kasabat kadıs who have been given mevleviyet status in post [i.e., in the place and period of their tenure] not be accepted.'[96] The absence of all but a handful of examples in the biographical sources of this method of obtaining mevleviyets leads to the inference that someone obtaining a mevleviyet by this route could not expect to get much further in the hierarchy; and indeed the provision itself, while not prohibiting the practice, does remove one of the principal prerogatives of the holders of mevleviyets. None the less it is clear that, whatever the theory, there was in practice no absolute bar to crossing the line between the kasabat kadılıks and the mevleviyets.

The options open to at least one student in the early sixteenth century are

[94] Taş, ii, 71–2; Mecdî, 463–4, and also above, pp. 46–7.

[95] See above, p. 48, and Taş, i, 651–2; Mecdî, 404.

[96] Uzunçarşılı, *İT*, 245: *ve kasabat kadılarından yerinde mevleviyyet hükmü verilenlerin mülâzımı alınmıya* ...; so also in Baltacı, *O. Med.*, 631.

mentioned and commented upon in a brief autobiographical note by Celâlzade Mustafa near the beginning of his *Selimname*. Mentioning his education only in the most general terms, he goes on to say that the offices suitable for the likes of him appeared to be *tadrīs* (tedris, teaching) and *ḳaḍā'* (kaza: here, the office of kadı), of which 'one [teaching] is the intimate companion of poverty and need and the other [kaza] is unmitigated misfortune'.[97] Unenamoured of either, he rejected both in favour of the career of a scribe (*kâtib*)—here his own account goes on to other things—becoming a clerk to the imperial divan in 922/1516, and rising thence through the office of private secretary to two Grand Vezirs and that of reisülküttab to become nişancı in 941/1534.[98] So brief is the note, and couched in such general terms, that it is difficult to base much upon it, but worth noting are the facts that he clearly saw his choice as lying in the normal way between tedris and kaza, which he calls *iki tarik*, two paths or careers; that a signal disadvantage of teaching was that it was unremunerative; and, not least, that, unable to contemplate either alternative, he was able to find a home for his talents and interests in the bureaucracy.

Much has already been said in the preceding pages about the subsequent progress through the learned hierarchy of the student who chose to become a müderris: with ability, luck, good connections or a combination of the three he would teach through a number of grades of medreses, eventually to turn to the mevleviyet kadılıks through which he might hope to rise ultimately to what had become by the end of the sixteenth century the principal office in the hierarchy, the Müftilik of Istanbul. It has been shown above that, on the basis of the careers of a number of Müftis in the late sixteenth and early seventeenth centuries, one might tentatively conclude that by that time it was as a practical matter desirable, if not absolutely necessary, to have taught on at least two levels of medreses beyond the Sahn in order to have a chance to attain the highest office in the learned profession. A survey of the careers of scholars generally in the latter half of the sixteenth century allows one to make explicit a generalization implicit in the evidence of the Müftis' careers, namely that, as a general rule, the higher the level the scholar reached in the medrese system, the higher he was likely to rise in the mevleviyet system. Uzunçarşılı has published a kanun containing a detailed listing of the mevleviyet kadılıks and the ranks of medreses and showing the possible

[97] Celâlzade, *Selimname* (Kerslake), f. 19a. Celâlzade Mustafa's description of kaza—*biri* [i.e. kaza] *mahz-i kazadır*—involves, one might tentatively suggest in the light of the previous discussion, several levels of word-play: on the one hand, the play on two senses of kaza in subject and predicate, as in the translation in the text; on the other hand, possibly, a play on both senses of kaza in the predicate, so that an alternative translation might be: 'The office of kadı is nothing but the office of kadı', the sense of which would be that that particular career was a dead end.

[98] V. L. Ménage, 'Djalālzāde Muṣṭafā Čelebi' in *EI*². For a similar sort of career, with rather more detail about the subject's early years, see the life of Atâ'î's maternal grandfather, Molla Mehmed Bey: Atâ'î, 58–9.

promotions within and between the two, facts which help to define this generalization to some degree.[99] The kanun, included in a late seventeenth-century anthology (1095/1684), purports to reflect the practice of the time of Süleyman, but that the kanun in the form published by Uzunçarşılı dates from Süleyman's time must be rejected on the grounds both that many of the kadılıks mentioned did not attain mevleviyet status until the late sixteenth or seventeenth centuries and that two of them—Kandiye (Candia) and Kamaniçe (Kamenets-Podolskiy)—did not come into Ottoman hands until 1080/1669 and 1083/1672 respectively. Despite the fact that the kanun thus in all likelihood dates from the seventeenth century, the biographical sources indicate that the principles, if not the details, embodied in it were at work in the late sixteenth century—and very possibly earlier—as well. The passage of particular interest concerns the options open to the müderrises at various levels. The highest ranking müderrises—those at the Süleymaniye medreses—go to certain named kadılıks such as Damascus and Aleppo, for example, while the müderrises of the next two lower classes—the *mûsıla-i Süleymaniye* and the *altmışlı*—may choose either to take up kadılıks such as those of Jerusalem, Baghdad and Filibe, or to go to the next higher rank of medrese. The next three classes beneath the *altmışlı* class—the Sahn, the *mûsıla-i Sahn* and the *dâhil*—also may choose kadılıks or the next higher rank of medrese, but in these cases the option of choosing a kadılık is expressed in variants of the following phrase: 'if [the müderrises] become poor and choose office [as kadı] ...', the implication of which is that they would not otherwise do so. The reason they would not otherwise do so becomes apparent from the biographical sources, from which it is clear that though it was possible to obtain mevleviyets from these medreses, men who did so tended not to rise much higher but to spend the rest of their lives in relatively low-ranking mevleviyets. Two points thus emerge from this kanun, with the aid of the information to be found in the biographical sources: first, in general, the higher one's rank in the medrese system the higher the rank of one's initial mevleviyet; and second, again in general, the higher one's rank in the medrese system before turning to the mevleviyets, the better one's chances of eventual promotion to the highest of them.

Besides müderrises and kadıs, one other group within the learned profession deserves brief mention, namely the müftis. Hezârfen, as noted above, writes that there were two sorts of müftis, on the one hand the Şeyhülislâm, on the other the *kenar* müftis.[100] A similar distinction lies at

[99] Uzunçarşılı, *İT*, 273–6.

[100] See above, p. 39, and cf. below, n. 109. Hezârfen makes the same sort of crude classification of the kadıs, writing that a kadı is either a kazasker or a *kadı-i beled*, a city or town kadı.

For the provincial müftis, see further d'Ohsson, iv, 584–6; Gibb/Bowen, i/2, 133–8; Heyd, 'Fetva', *passim*; Ronald C. Jennings, 'Kadi, court, and legal procedure in 17th C. Ottoman Kayseri', *SI*, xlviii (1978), 133–72, especially pp. 134–6; and idem, 'Limitations of the judicial powers of the Kadi in 17th C. Ottoman Kayseri', *SI*, l (1979), 151–84,

the base of J. R. Walsh's treatment of the müftis: doubtless writing about a period later than that under consideration in the present study, he states, in regard to what Hezârfen would call the *kenar* müftis, that aside from the occasional retired kadı or 'a member of one of the local learned families in the larger cities, ... the *müftīs* were not of the *'ulemā* class'.[101] From one point of view this clear distinction between *the* Müfti (the Şeyhülislâm) and 'the rest' serves a useful purpose, since in no sense was there ever a hierarchical connection between the two. It is probable that one cannot properly speak of such a thing as a career as a müfti in the same sense that one can of a career as a müderris or a kadı;[102] but to the degree that there does appear to have been some hierarchical gradation of müftiliks, it is worth emphasizing that these did not lead to the office of *the* Müfti, which rather, from the sixteenth

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especially pp. 156–9. d'Ohsson writes that all the chief cities of the empire had their müftis (except Edirne and Bursa: see below, pp. 143 et sqq.), and he gives the number of müftis as 210. An idea of how this number compares with the number of kadıs may be gained from Koçu Bey—one must, of course, make due allowance for the fact that the empire was less extensive in d'Ohsson's day than it had been in Koçu Bey's—who gives the number of kadıs in Rumeli as 450 (Koçu Bey (2), 108. This number is given in all the related texts and translations (above, n. 20), but there is wide divergence over the number of kadıs (or kadılıks) in Anadolu (or better, for whom the kazasker of Anadolu was responsible). Koçu Bey (2), 107, gives '800–700 (*sekiz yüz, yedi yüz*) kadıs' (?); Behrnauer's translation has '1700 Ḳâḍîs' (p. 721); Ünver's text has '800 kadılıks' (p. 28); and Unat's text gives no figure for Anadolu (p. 451: cf. Uzunçarşılı, *İT*, 156–7). TS/D8823, compiled in 929–30 (1523)—that is, before the Ottomans had taken Irak, for example—lists a total of 310 kadıs in post in the vilâyet of Anadolu (233), the vilâyet of the Arab lands (56) and the vilâyet of the Persian lands and (those of) 'Alā'al-Dawla (21) (p. 3, right)).

I have found no evidence either to confirm or refute Gibb and Bowen's assertion that it was in the time of Süleyman that 'the organization of the *Ḳâḍîs* on an imperial scale was supplemented by a parallel organization of *Muftīs*' (Gibb/Bowen, i/2, 135). Both the precise nature of this latter organization—which Gibb and Bowen quite rightly characterize broadly as 'looser and relatively more independent' than that of the kadıs—and the timing of its introduction await further, more detailed research.

Akdağ sees the provincial müftis under the Ottomans serving not only as müftis but also as leaders of the religious fraternity in each city, in respect of which latter function he regards them as comparable to the şeyhülislâms under the Selcuks (Akdağ, *Tarih*, i, 10–15; ii, 27–8, 44–5: the Selcuk şeyhülislâms appear to have had no special status as müftis, however). Though the comparison is an interesting and instructive one, Akdağ seems to go well beyond present evidence in suggesting actual continuity between the Selcuk şeyhülislâm system and the Ottoman provincial müfti organization (ibid., ii, 28; 62, n. 1; cf. below, Chapter III, n. 136).

[101] J. R. Walsh, 'Fatwā (ii.—Ottoman Empire)' in *EI*².

[102] On this point, cf. d'Ohsson (iv, 586), who writes:

> Tous ces *Mouphtys* sont perpétuels, égaux en rang, et à la nomination du *Scheïkh'ul-Islam*. La mérite, la faveur ou le grand âge font de temps en temps obtenir à quelquesuns une sorte d'avancement, qui consiste à passer d'une ville dans une autre plus considérable; mais par-tout ils cèdent le pas aux *Mollas* et aux *Cadys* leur confrères.

d'Ohsson's own statement does imply, however, that some müftiliks (or more strictly, in the light of the following discussion, müderris/müftiliks) were more equal than others (or at least more desirable), as do the careers of the scholars cited below, pp. 65–6.

century on, was approached by the route of the medreses, mevleviyet kadılıks and kazaskerliks. However applicable the distinction—and Walsh's characterization of the 'provincial' müftis—may be in the period after the end of the sixteenth century, the position regarding the müftis in the earlier period is rather more complex, for here one must distinguish three classes: first, *the* Müfti; second, müftis of a number of cities and large towns, who certainly were of the ulema class; and third, though evidence regarding them is hard to come by, one may perhaps hypothesize a class of small-town, even village müftis, who may have been, but very possibly were not, of the ulema class.

Since an examination of the first of these is the purpose of the following chapters, and an examination of the third impossible because, as suggested, of lack of evidence, one need turn here only to an examination of the second class. It is difficult to assess, in the period under review, whether the Ottomans made any systematic attempt to ensure the presence of müftis in the various cities and towns of the empire. Apart from Bursa and Edirne, which constitute special cases and are dealt with in detail in the following chapters, the city for which there is the earliest reliable information concerning a continuous official müftilik of some importance appears to be Amasya, to the müftilik of which Ali Cemâlî, later Müfti of Istanbul, was appointed by Bayezid II in 888/1483–4 (?) with the not inconsiderable salary of 30 akçe a day.[103] In 891/1486, when Bayezid II built his medrese in Amasya, he stipulated that the müftis of Amasya should act as müderris, a condition which is reported to have been observed without exception until 1033/1623–4, and with a few exceptions until 1084/1673–4 when the two offices were finally separated.[104] Ali Cemâlî, who had in the years between 888 and 891 moved on to other posts, was the first appointee to the new medrese and, though his salary is not specified, the course of his career to this point suggests that it cannot have been less than 50 akçe a day. Interestingly enough, Bayezid II made the same stipulation in regard to the medrese attached to his mosque in Istanbul (the medrese built probably in 912–13/1506–8), namely that the Müfti of Istanbul should be the müderris. Again Ali Cemâlî was the first müderris, and the stipulation appears usually

[103] Taş, i, 424; Mecdî, 303; Hüsameddin, *Amasya*, iii, 235; and below, pp. 202 et sqq.

It should be noted that references to müftiliks in other towns and cities in earlier times do occur in the sources. Molla Ilyās b. Yaḥyā, for example, is said to have combined the offices of müderris, kadı and müfti in Merzifon, probably in the time of Murad II (Taş, i, 166–7; Mecdî, 123: cf. below, Chapter III, n. 35); while Mecdî, in his *tezyil* attached to the biography of Molla Muḥammad b. Ḳuṭb al-Dīn al-Iznīḳī (d. 885/1480–1: Taş, i, 169–70; Mecdî, 124–5), writes that that scholar held the müderrislik of the Sultan Orhan medrese in İznik simultaneously with the kadılık and müftilik of that city. In neither case can it be shown that the arrangements were other than *ad hominem*, but it is entirely possible that these and other towns and cities possessed continuous official müftiliks from quite an early period: cf. below, p. 81.

[104] Hüsameddin, *Amasya*, i, 292–3; iv, 160–1.

to have been observed (though in later years by delegation) until the last days of the empire.[105]

These arrangements of Bayezid II's seem to be among the earliest occurrences of, and may well have helped to set the pattern for, a number of joint müderrisliks and müftiliks which appear in the course of the sixteenth century, many of which were at a relatively high level in the hierarchy. Often, but by no means invariably, the medreses involved were imperial foundations, such as the medrese of Süleyman's mother, Hafsa Sultan, in Manisa (929/1523); the medreses of Süleyman himself in Rhodes (956/1549) and Damascus (973/1566); and that of Selim II on the newly-conquered island of Cyprus (978–9/1570–1).[106] The müderrislik of the medrese founded in Bosnasarayı (943/1536) by a less august member of the imperial family, Hüsrev Bey, grandson through his mother of Bayezid II, appears to have been combined with the müftilik of that city; and non-imperial foundations of a similar type may be exemplified by those of Hüsrev Paşa in Aleppo (952/1545–6) and of the beylerbeyi of Budin, Mustafa Paşa, in Budin (983/1575).[107]

This list, of course, is by no means exhaustive: one finds mentioned in Atâ'î 'important' joint müderris/müftiliks in the sixteenth century also in Trabzon, Kefe, Ankara, Diyarbakır, Seyitgazi (near Eskişehir) and so on.[108] In general, these joint müderris/müftiliks seem to have been at the *hâriç* or *dâhil* levels, their holders receiving 50 akçe;[109] but there are instances on the

[105] See below, pp. 181 (and n. 149), 208–10. On the close connection historically between the functions of müderris and müfti, see Tyan, *Histoire*, 222.

[106] For Hafsa Sultan's medrese, see İbrahim Hakkı Konyalı, 'Kanunî Sultan Süleyman'ın Annesi Hafsa Sultan'ın Vakfiyesi ve Manisa'daki Hayır Eserleri', *Vakıflar Dergisi*, viii (1969), 47–56: the date is that of the *vakfiye*. For Süleyman's two medreses, see Atâ'î, 113, 110; and for Selim II's, Atâ'î, 232, and Halil Sahillioğlu, 'Osmanlı İdaresinde Kıbrıs'ın İlk Yılı Bütçesi', *Belgeler*, iv (1967), 1–33, especially pp. 17, 25. This last, a statement of income and expenditure which covers the (solar) year and a day from 18 Jumādā I 979 to the end of Jumādā I 980 (8 October 1571 to 8 October 1572), shows a salary for Molla Ekmeleddin, müfti and müderris, dated from the first day of Rabī' II 979/23 August 1571, which may be the day he actually took up his post. The figure for his salary is consolidated with other medrese expenditure, but is given in Atâ'î, 232, as 60 akçe a day.

[107] For Hüsrev Bey's medrese, see Ekrem Hakkı Ayverdi, 'Yugoslavya'da Türk Abideleri ve Vakıfları', *Vakıflar Dergisi*, iii (1956), 151–223, especially p. 204, and Atâ'î, 11; for the others, see Atâ'î, 119–20, 244.

[108] See, for example, Atâ'î, 11, 31, 14, 119–20, 176.

[109] Note should be made in this connection of a passage in a *majmū'a* (*mecmua*), presumably from a kanun of the sort referred to just above from Uzunçarşılı's *İT*, where the kadılıks appropriate for those 'from the Sahn, the *dâhil* [medreses] and the *kenar* müftiliks (*kenar fetvaları*)' are listed (quoted in Ünver, *Fatih, külliyesi*, 142): from a refinement of the general rule, it is clear that the *kenar* müftiliks are strictly equivalent to the *dâhil* rather than the Sahn. No date is given for the *mecmua*, but the list of kadılıks is broadly comparable to that in the equivalent passage in the kanun quoted by Uzunçarşılı (*İT*, 274–5). This passage offers the only hint I have found that the *kenar* müftiliks were considered a separate class in the hierarchy.

one hand of lower-ranking posts—in about 940/1533–4, for example, a müderris/müfti of Ağras (Aghrūs, also Aghrās, now Atabey) received 30 akçe a day, then moved on to become müfti in Ankara (and probably müderris, although Atâ'î does not mention a medrese) with 40 akçe—and on the other hand cases, particularly in Amasya, Manisa and Damascus, where the holders received 60, 80 or even 100 akçe a day.[110] For some the holding of one of these posts was just one stage in their careers, for others a succession of such posts appears to have become a career in itself, though one must be careful to emphasize that there is not enough evidence to suggest that there was in the case of the müderris/müftis anything like as clearly defined a career structure as in the case of the müderrises and the kadıs, that there was, in effect, a *tarik-i fetva* comparable to the *tarik-i tedris* and the *tarik-i kaza*. One may, however, note careers such as those of Molla Naṣūḥ b. Yūsuf who, at the 50-akçe level, served as müderris/müfti successively in Larende, Amid, Aleppo, Seyitgazi and again in Aleppo, in which last post he died in 981/1573; of Molla Akmal al-Dīn (Ekmeleddin), müderris/müfti between 972/1565 and his death in 983/1575 successively in Kefe, Rhodes and Cyprus, where he was the first müderris/müfti after the conquest (978–9/1570–1) with 60 akçe a day; and of Molla Yaḥyā al-'Ajamī who, after teaching at the *hâriç* level at the medrese of Sultan Orhan in İznik, went on to the müderris/müftiliks of Seyitgazi, Aleppo and Damascus, dying in the last-named post in 986/1578.[111]

Simply the position of these joint müderris/müftiliks in the hierarchy is an indication of their importance, but added testimony of a different kind is to be found in Atâ'î's biography of Molla Muḥammad b. 'Abd al-'Azīz (Muidzade), an Ottoman scholar who held the müderris/müftilik of Damascus from 980/1572 to 983/1575. Having become engaged in a dispute over a point of law with the then kadı of Damascus, Molla Muḥammad b. Muṣṭafā (Bostanzade), later to become Müfti of Istanbul, Muidzade prevailed in the argument and, according to Atâ'î, his fetvas on the subject were preserved in the court registers and were still referred to in Atâ'î's own day.[112] Not all müftis, of course, were successful when at odds with the kadı: the aforementioned Molla Nasuh, while müderris/müfti of Aleppo, appears to have been held in some contempt by the kadı of Aleppo, Molla Shams al-Dīn Aḥmad b. Badr al-Dīn Maḥmūd (Kadızade: kadı of Aleppo from 963/1555–6 to 967/1560), also later to become Müfti of Istanbul, and in one specific case, quoted by Atâ'î, was overruled by him;[113] while Molla Muṣliḥ al-Dīn Muṣṭafā (Çirçinzade Mustafa), appointed müderris/müfti in Bosnasarayı in 965/1557–8, fought the kadı of Bosnasarayı to a standstill over certain

[110] Atâ'î, 14 (Ankara, at least, was later raised to the 50-akçe level: see ibid., 157, 257); 26, 49, 52 (Amasya); 173, 234, 132 (Manisa); 110, 176 (Damascus).

[111] Ibid., 181, 232 (and above, n. 106), 248.

[112] Ibid., 236–7.

[113] Ibid., 181.

matters, both then making representations to Istanbul and both being removed from office for their pains.[114]

The intention in discussing this second class of müfti, the 'important' provincial müftis or, more strictly, müderris/müftis, is essentially simply to point out their existence and to give a very rough idea of the nature of the class and of the sort of men who held these posts. Much more evidence needs to be uncovered, if indeed it exists, much more work to be done even in available sources before the origins and development of this sort of müftilik can be said to have been fully studied. It may be taken as fact that during the late fifteenth and the sixteenth centuries a number of joint müderris/müftiliks came into existence in the provinces. Why they came into existence, whether those about which one has information represent the now-visible signs of a systematic attempt by the Ottomans to provide in the provinces müftis of a high standard, appointed by the central government, or whether, on the other hand, they came into existence in a more haphazard way, more by individual than by systematic 'governmental' initiative, is difficult to say. Uncertainties abound. It appears, for example, that Bayezid II stipulated in the case of his medreses both in Amasya and in Istanbul that the respective müftis should be the müderrises, but it is not clear in other cases whether the founder of the *vakıf* made such a stipulation or whether the practice of combining the müderrislik with the müftilik grew up later. One of the most readily accessible *vakfiye*s, for example, is that for the *evkaf* of Süleyman's mother, Hafsa Sultan, in Manisa, dated Sha'bān 929/June–July 1523. The *vakfiye* contains no explicit stipulation that the müderris should also act as müfti of Manisa—or, alternatively, that the müfti of Manisa should act as müderris—[115] but it would appear that by at least a few years before 944/1537–8, if not earlier, such had become the practice.[116] It is a tenable hypothesis that Bayezid II did indeed set a pattern and that many of the later foundations involving a joint müderris/müftilik were made simply in imitation of his precedent, though their effect might have been to create an official müftilik where none had existed before or to upgrade an existing müftilik (which latter may well have been Bayezid II's intention in Amasya and Istanbul). Sahillioğlu, for example, argues in the case of Cyprus that the presence of a spiritual leader of the non-Muslims on the island

[114] Ibid., 110–11.

[115] Konyalı in *Vakıflar Dergisi*, viii, (as above n. 106), especially p. 48b.

[116] Taş, ii, 104; Mecdî, 489. Taşköprüzade says simply that the subject, Masdar Muslihiddin, became müderris at the Sulṭāniyya in Manisa, which statement Mecdî translates without addition. In his *tezyil*, however, Mecdî writes that while Masdar Muslihiddin was müfti in Manisa, he made a collection of fetvas: one of the MSS. used by Rescher in preparing his translation of Taş also has a marginal note to this effect (Taş/Rescher, 309). The only date in the entire biography is that for the subject's appointment as kadı of Medina (? – but probably Mecca: see above, n. 56), namely 944/1537–8: he had held an appointment at the Sahn and as kadı of Aleppo after his tenure in Manisa.

required the appointment of a spiritual leader for the Muslims—in other words, the müfti.[117] Such may possibly have been the motive behind the creation of the müftilik of Cyprus, but the case for the argument seems stronger in isolation than it does when set against the fact that by 979/1571 the creation of such joint müderris/müftiliks appears to have become quite a common practice. One could perhaps likewise argue that the joining of the office of müderris of Süleyman's medrese in Damascus with the müftilik—in this case the müftilik certainly pre-dated the medrese—was an attempt to strengthen the position of the Ḥanafī müfti, or, alternatively, an attempt to 'Ottomanize' the müftilik, since with the foundation of the medrese the joint post passed at least temporarily from the hands of local scholars into those of Ottoman scholars;[118] but it may equally well be that Süleyman was doing no more than following established custom in assigning the müderrislik to the müfti. In short, then, while one is able to adduce specific reasons for the creation of certain of the joint müderris/müftiliks, it is important to recognize that these offices were a not uncommon feature of the Ottoman learned profession in the sixteenth century and that the sheer momentum of established practice may count for as much in assessing the reasons for their creation as what appear to be locally important considerations in each individual case.

In order to draw together the threads of the preceding discussion one might in conclusion dwell briefly on the careers of two famous scholars, one of the latter half of the fifteenth century, one of the latter half of the sixteenth century, namely Molla Muṣliḥ al-Dīn Muṣṭafā b. Khwāja Yūsuf b. Ṣāliḥ al-Bursawī, known as Khwāja-zāde (Hocazade: d. 893/1488), and Molla Muḥammad b. Shaykh Muḥammad b. Ilyās, known as Çiwi-zāde (Çivizade: d. 995/1587), not to be confused with his father who bore the same name and who, as one of the Müftis in the period under review, is treated in some detail in a later chapter. In a very real sense, of course, the biographies of the Müftis in the following chapters illustrate the development of the hierarchy, but it seems not without point to concentrate attention on this particular aspect by placing side by side the biographies of two scholars, one of whom lived in the period before the hierarchy had become developed to any very great degree—before, perhaps, it is even possible to speak of a hierarchy—the other in a period when the development was fairly well advanced, though not complete. It cannot be pretended that either scholar's career is entirely

[117] Sahillioğlu in *Belgeler*, iv (as above, n. 106), 17.

[118] For one of the non-Ottoman Ḥanafī müftis in the period before the building of Süleyman's medrese, namely Muḥammad b. Muḥammad b. Sulṭān (d. 950/1543), see Najm al-Dīn Muḥammad al-Ghazzī (d. 1061/1651), *al-Kawākib al-sā'ira bi-a'yān al-miah al-'āshira*, ed. Jibrā'īl Jabbūr, 3 vols., Beirut, 1945–59, ii, 12–14; and for a case in which he was involved, see Ibn Ṭūlūn's *I'lām al-warā* ..., trans. H. Laoust in *Les Gouverneurs de Damas sous les Mamlouks et les premiers Ottomans (658–1156/1260–1744)*, Damascus, 1952, 167–8. For a brief survey of the müftilik of Damascus, see Rafeq, *The Province of Damascus, 1723–1783*, 48–50.

typical of its period—Hocazade's career is unusually chaotic even for the later fifteenth century, Çivizade's in many respects unusually 'regular' even for the later sixteenth century—but the degree to which they are atypic is not sufficient to give a misleading impression. No systematic attempt is made at this point to resolve the many doubts about the details of Hocazade's career, particularly the dates of his various appointments, since his career impinges on those of a number of Müftis and the conflicts are more appropriately discussed in detail where they arise in these contexts. The intent is rather merely to summarize the account of his life as given by Taşköprüzade and Mecdî in order to convey the general course of his career.[119]

Much play is given in the *Shaḳā'iḳ* to the rather romantic story of Hocazade's extreme poverty in his youth, a story which lays the basis for a rags-to-riches saga (in respect both of material wealth and of intellectual achievement) and which also has overtones of the story of Joseph. He was the son of a rich merchant, with whom he fell out, however, because of his preoccupation with *ilm* and his lack of interest in his father's profession. While his brothers lived in comfort with beautiful clothes and many slaves, Hocazade was kept on an allowance of a mere one akçe a day. A visiting şeyh, seeing his sad plight, comforted him by saying that he would achieve high rank and that his brothers would stand in his presence among the servants and slaves. After Hocazade's appointment to the kazaskerlik some years later, his father and brothers came to visit him in Edirne. Hocazade was reconciled with his father, for whom he subsequently gave a great feast; so great was the press of notables, however, that his brothers were forced to stand among the servants.

Hocazade began his studies under Molla Muḥammad b. Ḳāḍī Ayātholūgh, müderris in Aghrās (Ağras, now Atabey), then passed on to the service of Molla Khiḍr Bey (Hızır Bey: d. 863/1459)—later to become the first kadı of Istanbul but at this time müderris at the Sultan medrese (the medrese of Mehmed I) in Bursa—becoming his *muid*.[120] Hızır Bey was greatly impressed by him and sent him to Murad II, recommending that he be given a teaching post. Murad II was about to go on campaign, however, and in his haste gave Hocazade only a provincial kadılık, that of Kestel near Bursa. On his return he gave Hocazade the Esediye medrese in Bursa with a salary of 10 akçe a day,[121] a post in which Hocazade remained for six years. When Mehmed II ascended the throne, his widely-known patronage of learning

[119] Taş, i, 197–220; Mecdî, 145–58. Though İsmail Beliğ's account in the *Güldeste* (pp. 262–70) adds to the accounts of Taşköprüzade and Mecdî a number of facts such as dates of appointments and predecessors and successors in office, some at least of these are questionable, and all should be treated with reserve. Where his rather confused account conflicts with those of Taşköprüzade and Mecdî, moreover, it is in no case to be preferred to theirs.

[120] Hocazade appears also to have studied *ḥadīth* at some stage under Fahreddin Acemî: Taş, i, 120–1; Mecdî, 81.

[121] The printed text of Taşköprüzade has 20 akçe, Taş MS. and Mecdî 10 akçe.

caused Hocazade to seek him out. So poor that he had to borrow money to buy a horse, he found Mehmed II on the road from Istanbul to Edirne and was introduced to the sultan by the vezir Mahmud Paşa (Grand Vezir 858–72/1454–68 and 877–8/1472–3). While riding along he fell into a lengthy dispute with Molla Muḥammad, known as Zeyrek,[122] at this time probably müderris at one of the medreses which Mehmed II created by the conversion of churches after the conquest of Constantinople, which were, in effect, precursors of the Sahn. Hocazade confounded Molla Zeyrek, a feat which so impressed Mehmed II that he made Hocazade his Hoca.

Some time after, Mahmud Paşa grew jealous of the closeness which had grown up between Mehmed II and Hocazade. He encompassed his object of breaking the bond between the two by telling Mehmed II that Hocazade wanted to become kazasker, while telling Hocazade that Mehmed II wanted him to become kazasker, as a result of which Hocazade unwillingly accepted the post which Mehmed II unwillingly offered him. Mehmed II is reported to have been hurt by the fact that Hocazade appeared to prefer high rank to his company.

Hocazade was next appointed müderris at the Sultan medrese in Bursa with a salary of 50 akçe a day. There is no suggestion in the *Shaḳā'iḳ* that he was dismissed from the kazaskerlik; he seems simply to have moved on to another job, one which, according to Hocazade's own testimony, suited him very well. Taşköprüzade quotes from his father these words of Hocazade's: 'At the time when I was at the Sultan medrese in Bursa I was thirty-three years old and loved nothing save *ilm*.'[123] Taşköprüzade goes on to say that Hocazade used to take more pride in having taught at the Sultan medrese than in having been kazasker or Mehmed II's Hoca.

The next step in Hocazade's career was that he was brought to Istanbul from Bursa by Mehmed II to dispute again with Molla Zeyrek, the latter having incurred the sultan's displeasure by claiming one day in his presence that he—Molla Zeyrek—was superior to the highly revered scholar al-Sayyid al-Sharīf al-Jurjānī (Seyyid Şerif: d. 816/1413). After an eight-day disputation, in which Molla Hüsrev was one of the judges, Hocazade was adjudged to have won and was given Molla Zeyrek's medrese as a reward. From there he went on to become kadı of Edirne and then kadı of Istanbul. A hostile Grand Vezir again brought about a change of post. Karamanî Mehmed Paşa (Grand Vezir 882–6/1477–81), pupil of another scholar vanquished by Hocazade and therefore ill-disposed toward him, told Mehmed II that Hocazade had complained of the climate in Istanbul, saying that because of it he had forgotten the learned works he had memorized, and that he had praised the climate in İznik. Mehmed II accordingly appointed him kadı and müderris in İznik. Hocazade soon gave up the kadılık in order to devote himself more fully to *ilm* but remained as müderris in İznik until the death of

[122] Taş, i, 193–7; Mecdî, 142–5.

[123] Taş, i, 204.

Mehmed II (886/1481). On the accession of Bayezid II, Hocazade was appointed to the Sultan medrese in Bursa for a second time, with 100 akçe a day, and was also appointed müfti of Bursa. He died as such in 893/1485.

In contrast to Hocazade, Çivizade came from a very favourable background from the point of view of the learned profession.[124] The son of another Çivizade who was, in 945/1539, to become Müfti, the younger Çivizade was born in 937/1530–1 and studied first under his father, with whom he went on the pilgrimage in 950/1544, his father having just previously been removed from the Müftilik. When the elder Çivizade, by now Rumeli kazasker for a second time, died in 954/1547, the younger was given a pension of 45 akçe a day. Having studied under several other scholars, including Taşköprüzade, he completed his studies under the retired Anadolu kazasker Ma'lûl Emir Efendi from whom he became *mülâzım* in the *nöbet* of Abdurrahman Efendi in 959/1552. He seems not to have received a post until 964/1557, but was then given the Kasım Paşa medrese in Istanbul at the *hâriç* level, thus bypassing the 20-, 30- and 40-akçe grades: he would not normally, of course, receive a medrese the salary of which was less than his pension had been.[125] Thereafter he was appointed successively to the Mihrimah Sultan medrese (966/1558), the Sahn (968/1561), the Ayasofya medrese (970/1563), and one of the Süleymaniye medreses (971/1564). Turning then to the mevleviyet kadılıks, he served successively (and apparently uninterruptedly) as kadı of Damascus (977/1569), Egypt (978/1570), Bursa (979/1572), Edirne (981/1573), and Istanbul (Rajab 983/October 1575). Later in the same month he became Anadolu kazasker and, in 985/1577, Rumeli kazasker.

Though his career had to this point suffered no check, according to Atâ'î, he now fell into disfavour with the Grand Vezir Sokullu Mehmed Paşa (Grand Vezir 972–87/1565–79), who succeeded in accomplishing his removal, with a pension, in Şafar 987/April 1579. Two months later he was appointed to the recently built Selimiye (Selim II) medrese in Edirne, the newest and perhaps at least temporarily the most important of the imperial medreses, from which he nevertheless resigned after only two months, unwilling to accept, in Atâ'î's words, *nakl ü hareket*, by which he means, presumably, the transfer to Edirne. In Şafar 989/March 1581 he became Rumeli kazasker a second time, and, on 26 Dhu 'l-Ḥijja of the same year (21

[124] Atâ'î, 292–4. For his father, mentioned just below in the text, see below, pp. 244 et sqq.

[125] Atâ'î does not, in this biography, say that the Kasım Paşa medrese was at the *hâriç* level, but in the biographies of Çivizade's two immediate predecessors at the medrese he does mention the fact: Atâ'î, 251, 15.

Confirmation first that Çivizade received a pension of 45 akçe and second that he was still receiving it throughout 963 (16 November 1555 to 3 November 1556) is found in a list of Mollas and sons of Mollas receiving salaries or pensions from the privy purse (*harc-i hassa*) in that year: see Barkan, 'Saraylar', 35.

January 1582), he became Müfti, in which post he remained until his death on 28 Jumādā I 995/6 May 1587.

The purpose in setting side by side the careers of Hocazade and Çivizade is simply to compare in a very broad way the careers of two not unrepresentative scholars of the fifteenth and sixteenth centuries respectively in order to show the degree to which the hierarchy had developed during this period; and what one may fairly infer from the comparison is limited. There are, for example, points of difference between the two men themselves in terms of background and, very probably, of character and disposition which, could one know them fully and evaluate them properly, might allow a closer and more subtle comparison. There are, equally, factors such as the differences in the approaches of the principal biographical sources in each case which affect one's sense of what is important in each man's life; and for these, due allowance must be made when measuring the growth of the hierarchy and assessing the effects of that growth. One can safely say, however, that the learned world in which Çivizade moved differed greatly from Hocazade's. It is beyond question that by Çivizade's time the learned hierarchy had become greatly elaborated relative to its state in Hocazade's time, and a scholar's progress through it is more or less predictable. What one believes to have been the effects of the growth and elaboration of the hierarchy on the attitudes both of scholars towards their own role and of others towards scholars has been discussed at the beginning of the chapter, but one may, perhaps, in conclusion, briefly reinforce the point by quoting a remark attributed to the Grand Vezir Karamanî Mehmed Paşa concerning Hocazade. While Hocazade was at İznik, where he had been sent after having been removed from the kadılık of Istanbul through the machinations of Karamanî Mehmed Paşa, he had occasion to come once to Istanbul. During his stay in Istanbul he was treated with the greatest respect by his former students, among whom are mentioned three important müderrises of the city, two from the Sahn and one from the Murad Paşa medrese. On seeing the deference with which Hocazade was treated, Karamanî Mehmed Paşa remarked: 'We have not been able to destroy his good repute. I did not know that his greatness lies in his learning and not in his office.'[126] One would go too far in saying that by Çivizade's time a scholar could achieve greatness solely through office; but at the least, such a distinction as that made by Karamanî Mehmed Paşa had become almost impossible to make, since 'greatness' and 'office' had grown so closely intertwined as to be inseparable.

[126] Taş, i, 210 (Mecdî, 152–3).

CHAPTER THREE

The Origins of the Müftilik

As indicated in the first chapter, there has evolved during relatively recent times a 'traditional' listing of Müftis, the tradition beginning essentially with Müstakimzade and reaching perhaps definitive expression in the widely-used *İlmiye salnamesi*, the equally widely-used chronological history by Danişmend, and, more recently, Altunsu's *Osmanlı Şeyhülislâmları*. In respect at least of the origins of the institution this tradition has triumphed over another of some antiquity, advanced by Kâtib Çelebi and followed by Hezârfen and the western authors d'Ohsson and Hammer, which names Hızır Bey (d. 863/1459), the first kadı of Istanbul, as the first Şeyhülislâm and which differs in several other respects from the now-accepted account of the succession of fifteenth-century Müftis. One may anticipate the conclusions of the following discussion of the fifteenth-century Müftilik by saying that while both traditions are less than satisfactory and while, in the present state of knowledge, there are questions of considerable importance which remain unresolved, on the particular point of the origins of the institution there is some evidence to support at least the broad outlines of the Müstakimzade tradition, however vexed the details may be; whereas, on the other hand, not only is there a lack of positive evidence to support the Kâtib Çelebi tradition, there is also a certain weight of evidence, largely of a negative nature, against it. For this reason it seems best to concentrate upon the Müstakimzade tradition in order to be able to set the Kâtib Çelebi tradition against the background of what is felt to be a more probable account of the origins of the Müftilik.[1]

Molla Fenârî

Turkish tradition, then, has settled on Molla Shams al-Dīn Muḥammad b. Ḥamza b. Muḥammad al-Fenārī (751–834/1350–1431), known as Molla Fenârî, as the first Müfti. The first positive statement to this effect in the available sources is to be found in Müstakimzade, who not only places him first in his list but also states explicitly, on the authority of the historian 'Azīz

[1] In speaking of a 'Müstakimzade tradition' and a 'Kâtib Çelebi tradition' two further points might be made. First, I have been unable to trace either tradition further back than the authors named and have therefore assumed them to be the originators of their respective traditions. The possibility that either or both is following an earlier author cannot be ruled out, however; and, indeed, on the particular point of Molla Fenârî's being the first Müfti, Müstakimzade relies upon the statement of a so-far-unidentified historian, Aziz Efendi. Second, as will be shown below, Müstakimzade shows himself to be aware of the Kâtib Çelebi tradition without, however, attempting to reconcile it with his own view. Most later authors who follow Müstakimzade simply ignore Hızır Bey except for Erk, who does attempt to fit him into the framework of the Müstakimzade tradition (Erk, 40).

Efendi (?), that Molla Fenârî was the first to hold the office of Müfti in the Ottoman state.[2] Support for this statement, admittedly of a negative sort, may be found in Taşköprüzade in that his mention of Molla Fenârî as *muftī fi 'l-mamlakat al-'Uthmāniyya* seems to be the first mention in the *Shaḳā'iḳ* of any such title.[3] As noted above, most of the later Turkish sources have followed Müstakimzade, asserting either explicitly or implicitly, by placing his name first in the list of Müftis, that the Müftilik originated with Molla Fenârî.[4]

The earliest source for Molla Fenârî's life is not Taşköprüzade but the *Inbā' al-ghumr fī abnā' al-'umr* of the Egyptian scholar Ibn Ḥajar al-'Asḳalānī (Ibn Ḥajar: d. 852/1449) who had met Molla Fenârî in Egypt and received an *ijāza* (*icazet*) from him.[5] Indeed the biographical section in Taşköprüzade is verbally very close to Ibn Ḥajar's account,[6] although Taşköprüzade adds some material, omits some very important details, and changes the order of the material in such a way as to render the account confusing on occasion.

Special mention might also be made of another much more recent source particularly concerned with Molla Fenârî, namely the comprehensive biography by the historian of Amasya, Hüseyin Hüsameddin.[7] His article is

[2] Müstakimzade, f. 3a:

مورّخ عزیز افندی تحریری اوزره ممالك دولت عثمانیه‌ده بین العلماء ابتداء بونلرك قلم مشکین رقملری زیب افزای رخسارهٔ شاهد افتا واجوبه‌سی اظهار مضمون صحتنمون وعلیه الفتوی ایلمشدر

[3] 'And I heard from my father, who related on the authority of my grandfather, that Molla Fenârî was müderris in the city of Bursa, at the Manastır medrese, and kadı in that city, and müfti in the Ottoman land.' (Taş, i, 87.) For Molla Fenârî's biography, see Taş, i, 84–92; Mecdî, 47–53.

[4] i.e. Rifat Efendi; *İS*; *SO*, iii, 159; Danişmend; Vakanüvis Lûtfi Efendi (d. 1325/1907), cited in Pakalın, iii, 349; and Erk, Ertan and Altunsu.

[5] The material relative to the Ottomans in Ibn Ḥajar's work has been extracted and translated into Turkish by Şevkiye İnalcık in 'İbn Hâcer'de Osmanlılar'a dair haberler', *Dil ve Tarih–Coğrafya Fakültesi Dergisi*, vi, Ankara, 1948, 189–95, 349–58, 517–29. Two editions of the work have recently been published: one (as yet incomplete) in three parts, ed. Ḥasan Ḥabashī, Cairo, 1969–72; and one in eight vols., no ed. given, Hyderabad, 1967–75. All further references are to the obituary notice under the year 834 (İnalcık, 526–7 (520); Cairo edition, iii, 464–5; Hyderabad edition, viii, 243–5) unless otherwise noted. Two MSS. of the work have also been consulted: British Library MSS. Add. 23,330 and 7321. For Ibn Ḥajar, see F. Rosenthal, 'Ibn Ḥadjar al-'Asḳalānī' in *EI*². Hüseyin Hüsameddin, whose article is mentioned just below, quotes from a biographical notice of Molla Fenârî in *al-Manhal al-ṣāfī wa 'l-mustawfī ba'd al-wāfī* by Abu 'l-Maḥāsin Jamāl al-Dīn Yūsuf b. Taghrībirdī (Ibn Taghrībirdī: d. 874/1470: see W. Popper, 'Abu 'l-Maḥāsin ... b. Taghrībirdī' in *EI*²), who had also met Molla Fenârî. I have been unable to consult the MS. used by Hüsameddin (Nuruosmaniye 3429), from which he quotes extensively, but have used Cairo 1113, iii, ff. 151b–152b through photocopies kindly provided by the authorities of the library, to whom my thanks are due.

[6] Especially from the top of p. 85 in the printed text (*wa ḳāla Ibn Ḥajar* ...) to the middle of p. 86 (*hādhā mā dhakarahu Ibn Ḥajar*).

[7] Hüseyin Hüsameddin, 'Molla Fenârî', *TTEM*, year 16 (1926), no. 18/95, 368–83 (referred to as 'Hüsameddin, "Molla Fenârî", a'), and year 17 (1928), no. 19/96, 148–58

particularly valuable for the evidence which he adduces from contemporary documents, some of which is of considerable importance in helping to determine the facts of Molla Fenârî's life; but much of what he says is, as will be shown, based on so little genuine historical evidence (insofar as this can be judged from the sources he quotes) and appears so speculative that it must be treated with some caution.[8]

According to Ibn Ḥajar, Molla Fenârî was born in Ṣafar 751/April–May 1350[9] and studied 'in his own lands' under certain scholars of whom Ibn Ḥajar names three: 'Alā' al-Dīn, known as al-Aswad (Kara Hoca); al-Kamāl Muḥammad b. Muḥammad al-Ma'arī (?); and al-Jamāl Muḥammad [b.] Muḥammad al-Aḳsarayī. The second of these receives no mention in Taşköprüzade or Mecdî, either in the article on Molla Fenârî or in a separate article, but is mentioned by İsmail Beliğ and, in more detail, by Hüsameddin.[10] The latter writes that he was a müderris in Bursa who then became a kadı, at which point Molla Fenârî went to study under Kara Hoca in İznik. His source for this information is not given, but he does mention the existence of documents signed by a man of this name which show him to have been kadı of Çirmen and of Edirne.

In Taşköprüzade and Mecdî's account, the first of Molla Fenârî's teachers mentioned is Kara Hoca (d. 800/1397), under whom Molla Fenârî studied probably at the İznik medrese, of which Kara Hoca was the third müderris, having followed after the first, Dāwud al-Ḳayşarī al-Ḳaramānī, and his successor, Tāj al-Dīn al-Kurdī (Taceddin Kürdî).[11] As the result of a quarrel with Kara Hoca, Molla Fenârî is said to have left him and gone to study under Shaykh Jamāl al-Dīn Muḥammad b. Muḥammad al-Aḳsarayī (Cemaleddin Aksarayî). From their article on the latter it is clear that Taşköprüzade and Mecdî suppose him to have been located at the Zincirli medrese (*madrasat al-silsila*) at Aksaray in Karaman at the time of Molla Fenârî's period of study with him. They relate that while at that medrese

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(referred to as 'Hüsameddin, "Molla Fenârî", b'). Ertan, 29–38, is very largely based on this.

[8] A comment made by V. L. Ménage with reference to a particular statement in Hüsameddin's *Amasya tarihi* may equally be applied to much of the material in this article: 'as so often one does not know how seriously to take this work's undocumented assertions' ('Kemāl Pasha-zāde' in *EI²*).

[9] Hüsameddin ('Molla Fenârî', a, 370, n. 2) quotes Ibn Taghrībirdī as refining this to 'mid- (*muntaṣaf*) Ṣafar 751', but the Cairo MS. omits Ṣafar: thus 'mid-751' (f. 151b).

[10] İsmail Beliğ, 240; Hüsameddin, 'Molla Fenârî', a, 370. The *nisba* is given variously (with the article in Arabic sources, without in Turkish) as معرى (Ibn Ḥajar, MS. Add. 23,330; Hüsameddin; Ertan, 30); عزى (?) (Ibn Ḥajar, MS. Add. 7321); مقرى (İsmail Beliğ); and مصرى (Ibn Ḥajar, ed. İnalcık). The Cairo MS. of Ibn Taghrībirdī makes no mention of this scholar.

[11] For Kara Hoca see Taş, i, 72; Mecdî, 29–30. Neither Taş nor Mecdî gives death dates for either Davud-i Kayserî (Taş, i, 70–1; Mecdî, 27) or Taceddin Kürdî (Taş, i, 71–2; Mecdî, 27–9). For the former, Kâtib Çelebi (*KZ*, ii, 1261) gives 751/1350, while *SO* (ii, 323) gives 745/1344–5. No date is given in any of the sources for the latter's death.

Cemaleddin Aksarayî followed the ancient Greek practice and divided his students into three classes: those whom he taught on the way from his dwelling to the medrese (*mashā'iyyūn*: peripatetics); those whom he taught under the pillars of the medrese (*riwāḳiyyūn*: stoics); and those whom he taught in the interior of the medrese. Molla Fenârî was, apparently, in the second class because of his youth.[12]

Hüsameddin, however, writes that it was in Amasya, not Aksaray, that Molla Fenârî studied with Cemaleddin Aksarayî, saying that it is known from several documents that Cemaleddin Aksarayî was, between 751 and 782 [*sic*] (1350–1 to 1380–1), müderris in Amasya and kazasker under the emir of Amasya, Ḥājjī Shādgeldi.[13] Cemaleddin Aksarayî's connection with Amasya is more fully developed in Hüsameddin's earlier *Amasya tarihi*, where he is said to have been a fellow student of Ḥājjī Shādgeldi's; to have become kadı in Amasya in 763/1361 when Ḥājjī Shādgeldi took power; to have been raised from the kadılık and the müderrislik of the Dār al-'ilm medrese to the kazaskerlik in/about 768/1366–7; and to have remained such until after Ḥājjī Shādgeldi's defeat and death in battle with Ḳāḍī Burhān al-Dīn in 783/1381, whereupon Cemaleddin Aksarayî fled to Konya.[14] Since, as will be seen, Molla Fenârî had almost certainly gone to Egypt for further study by that date, it follows that if Hüsameddin is right, it must have been in Amasya that Molla Fenârî studied under Cemaleddin Aksarayî.

Mélikoff warns that 'this tradition [i. e. that advanced by Hüsameddin] derives from an unreliable source and must be treated with reserve';[15] and it is certainly true that much of what Hüsameddin writes is unsupported by any quoted source. Even in the case of the *Amasya tarihi* itself, for example, the earlier, lengthy section on the medreses of the city contains no mention either of a Dār al-'ilm medrese or of Cemaleddin Aksarayî, though a number of medreses and müderrises are named.[16] The circumstantial nature of the account of Cemaleddin Aksarayî's teaching method and Molla Fenârî's place in it is also a point in favour of the Taşköprüzade/Mecdî tradition. Yet one, possibly two, bits of evidence do remain to be explained: a *şerh* on a *vakfiye* written in early Shawwāl 770/May 1369 containing the signature of Mehmed b. Mehmed al-Aksarayî, *ḥākim* (kadı) of the lands of Rum and of the armies of Shādgeldi Pasha; and the dedication to Shādgeldi Pasha of a monograph in Persian allegedly written by Mehmed b. Mehmed al-Aksarayî and entitled

[12] Taş, i, 81–2; Mecdî, 40–1. See also I. Mélikoff, 'Djamāl al-Dīn' in *EI²*. For the Zincirli medrese, see Aptullah Kuran, 'Karamanlı Medreseleri', *Vakıflar Dergisi*, viii (1969), 219–20. Kuran assigns the building of the now-extant medrese to the first half of the fifteenth century, that is, some time after the death of Cemaleddin Aksarayî.

[13] Hüsameddin, 'Molla Fenârî', a, 370, especially n. 6.

[14] Hüsameddin, *Amasya*, iii, 61–2, 68–9, 76–7, 107, 120–1.

[15] I. Mélikoff, op. cit.

[16] Hüsameddin, *Amasya*, i, 273–313.

Kitāb al-as'ila wa 'l-ajwiba.[17] So little of a reliable nature is known of Cemaleddin Aksarayî's life, so prominent is the association of him with Aksaray that it is tempting to think that he passed his whole life there: such certainly is the thrust of the Ottoman sources as well as Mélikoff's article. There is sound evidence, however, that he did not. According to Kâtib Çelebi, he finished the *Kashf al-i'rāb*, a commentary on *al-Lubāb fi 'l-naḥw*, in Shiraz in 740/1339–40, when he was twenty-six years of age.[18] There is clearly—indeed there would have to be—more to Cemaleddin Aksarayî's life than the sources record, and while in a general way it is unquestionably right to urge caution in adopting Hüsameddin's material, in this particular case there appears to be evidence which at the least requires an alternative explanation before being dismissed. In what follows, the traditional view—that Molla Fenârî studied under Cemaleddin Aksarayî in Aksaray in Karaman—is accepted, but it may well be that 'Amasya' ought to be substituted for 'Karaman' in the appropriate contexts.

From Karaman Molla Fenârî seems to have gone to Egypt for further study, especially under Shaykh Akmal al-Dīn (d. 786/1384–5).[19] At precisely what date he went is difficult to determine, for although Ibn Ḥajar states that he went to Egypt in 778/1376–7, he follows this immediately with the statement *wa lahu 'ishrūna sanatan*, whereas in fact Molla Fenârî should have been twenty-seven years of age at that date according to the birthdate given by Ibn Ḥajar himself. Having noticed this discrepancy, Hüsameddin suggests that the text of Ibn Ḥajar ought to read *wa lahu sab' wa 'ishrūna sanatan*, thus suggesting that a *sab'* (seven) has dropped out of the text.[20] The evidence of the available texts and manuscripts is against such an emendation, however, since none of them has such a reading; and it seems more likely that Ibn Ḥajar means no more than that Molla Fenârî was in his twenties when he made the journey to Egypt.

İsmail Beliğ has, however, taken Ibn Ḥajar to mean that Molla Fenârî was literally twenty when he went to Egypt, an assumption which would place his journey in 770/1368–9.[21] There is perhaps some support for something like

[17] Ibid., iii, 79, 111. No such title is listed at all, much less ascribed to Cemaleddin Aksarayî, in the standard Ottoman bibliographical sources, i.e. Kâtib Çelebi, *KZ*, and *OM*. Hüsameddin says that he was shown the *risale* by the librarian of the Carullah Efendi library and copied the preface in which it was stated that it was written by Mehmed b. Mehmed Aksarayî for Ḥājjī Shādgeldi. He appears subsequently to have lost his notes in a fire and was then unable to locate the book again, the Carullah Efendi library by that time having been transferred to the Millet library.

[18] Kâtib Çelebi, *KZ*, ii, 1544. In this case the *nisba* 'al-Tabrīzī' precedes 'al-Aḳsarayī'; this appears to be the only use of the former in relation to Cemaleddin in *KZ*. Taş and Mecdî give no details of his career before he was appointed to the Zincirli medrese.

[19] See Ibn Ḥajar, *al-Durar*, iv, 250–1.

[20] Hüsameddin, 'Molla Fenârî', a, 371, n. 1. Ibn Taghrībirdī (*al-Manhal*) writes that Molla Fenârî arrived in Egypt in 778 but says nothing about his age.

[21] İsmail Beliğ, 240, followed by Walsh, 'Fenārī-zāde' in *EI*². Uzunçarşılı (*OT*, ii, 644) has accepted the date 778.

this earlier date in the story related by Taşköprüzade that Molla Fenârî went to Egypt in company with Seyyid Şerif.[22] The latter is said to have come to Karaman in order to study under Cemaleddin Aksarayî, although he almost abandoned the journey on reading that scholar's *Sharḥ al-Īḍāḥ*, in which he was very much disappointed. He arrived in Karaman only to hear of Cemaleddin Aksarayî's death; but, having met Molla Fenârî, he went off with him to Egypt to study under Shaykh Akmal al-Dīn.

Seyyid Şerif is said to have left Herat for Karaman in 770/1368–9. In 776/1374–5, having returned from Egypt after a four-year stay, he visited Constantinople; and in 779/1377–8 he was appointed as a teacher in Shiraz by Shāh Shujā'. If there is any truth, then, in the tradition of the connection between Seyyid Şerif and Molla Fenârî—and one must beware here of the very common tendency of writers to associate great figures of the past with each other, sometimes in flagrant defiance of the facts—and if the facts about the former are reasonably accurate, Molla Fenârî would have arrived in Egypt about 772/1370–1.

Perhaps nothing better illustrates the difficulties of trying to establish the truth of such a tradition and of achieving accuracy in the dating of events in the lives of scholars of the early Ottoman period than the problem presented by the death date of Cemaleddin Aksarayî.[23] Tritton, citing Ibn Ḥajar's *al-Durar*,[24] gives 773/1371 as the date of his death. While this date fits in reasonably well with the tradition about Seyyid Şerif and Molla Fenârî, Tritton's identification of the scholar mentioned by Ibn Ḥajar with Cemaleddin Aksarayî is open to question. The name of the subject of the biography in Ibn Ḥajar is Muḥammad b. Muḥammad b. 'Īsā al-Aḳsarayī al-Ḥanafī Badr al-Dīn. In Turkish sources, however, Cemaleddin's grandfather's name is given as Mehmed, not İsa;[25] he certainly was called Cemaleddin, not Bedreddin, one of his most famous works being called *Akhlāḳ-i Jamālī*; and he was of the Shāfi'ī *madhhab* (*mezheb*), not the Ḥanafī.[26] Furthermore, the biographical material given by Ibn Ḥajar, only that the subject studied and preached in Damascus, is not mentioned in the Turkish sources, though, as has been seen, the latter do not concern themselves with Cemaleddin's early life.

In addition to the doubtfulness of the identification of the scholar in

[22] Taş, i, 82; Mecdî, 41. See also A. S. Tritton, 'al-Djurdjānī' in *EI*².

[23] See the article by Mélikoff in *EI*² for the various dates—1377, 1388, 1389—given for his death.

[24] See Ibn Ḥajar, *al-Durar*, iv, 207. The date given there is Dhu 'l-Ḳa'da 773/May–June 1372.

[25] Jamāl al-Dīn Muḥammad b. Muḥammad b. Muḥammad b. al-Imām Fakhr al-Dīn Muḥammad al-Rāzī: Taş, i, 81; Mecdî, 40.

[26] See Mecdî's *tezyil*, 41. See also Kâtib Çelebi, *KZ*, ii, 1192, 1561, though in the latter case 'al-Shāfi'ī' is followed by 'al-Ḥanafī'. The work in question, *Sharḥ Majma' al-Baḥrayn*, is, however, written from the Shāfi'ī point of view. It is possible, of course, that Cemaleddin Aksarayî changed *mezheb*s.

al-Durar, there is some positive evidence that Cemaleddin lived beyond 773. Bursalı Mehmed Tahir records the existence of a manuscript of the *Sharḥ al-Īḍāḥ* written in the author's own hand and dated 776/1374–5.[27] Two of Cemaleddin's works, moreover, are dedicated to Sultan Bayezid I (1389–1402).[28] While it seems fairly certain that Cemaleddin did not live into Bayezid's reign, it also seems not impossible that the works were written for Bayezid after about 783/1381, when he became more nearly connected with Anatolian affairs by taking over the province given him by—or, more correctly, taken from—the Germiyanids as a dowry. If, of course, the identification of the scholar in Amasya by Hüsameddin is correct, and the facts about him accurate, it would also follow that Cemaleddin Aksarayî lived beyond 783/1381.

To return to Molla Fenârî, one cannot then determine with any certainty the date of his journey to Egypt since it is impossible to assert confidently which of the seemingly contradictory facts or sets of facts—Ibn Ḥajar's statement that he made the journey in 778, Taşköprüzade's statement that he went in company with Seyyid Şerif, Taşköprüzade's association of Seyyid Şerif's arrival in Karaman with Cemaleddin Aksarayî's death, and so on—deserves most weight, though perhaps the specific nature of Ibn Ḥajar's date argues in its favour while, equally, the slight suspicion which always attaches to attempts to associate great figures of the past argues against the association of Molla Fenârî and Seyyid Şerif.

Equally uncertain is the length of his stay in Egypt: Ibn Ḥajar, followed by Taşköprüzade, says only that 'he returned to Rum and was appointed kadı of Bursa', which post, as will be shown below, he held for the first time probably from about 795/1392–3 to about 805/1402–3. As previously noted, Taşköprüzade states—and it has been generally accepted—that Molla Fenârî held three important positions in the Ottoman state in the course of his life: the müderrislik at the Manastır (Sultan Orhan) medrese in Bursa; the kadılık of Bursa; and the Müftilik in the Ottoman lands. As will be shown below, there is some reason, though not perhaps positive evidence, for supposing that his appointment to the Müftilik occurred relatively late in his life; and there seems also to be good reason to suppose that his appointment to the müderrislik of the Manastır medrese occurred before his appointment to the kadılık since it was usual even in the early days of the Ottoman state for a man to have done some teaching before being appointed to as important a kadılık as that of the capital city. Hüsameddin, apparently basing his statements on no more than reasonable assumptions, states that 'a few years' after his return from Egypt he was appointed müderris at the Manastır medrese;[29] and he at least implies that the appointment resulted from Molla

[27] *OM*, i, 266.

[28] *Akhlāḳ-i Jamālī* (*OM*, i, 266; Kâtib Çelebi, *KZ*, i, 36) and *Sharḥ-i mushkilāt al-Ḳur'ān al-Karīm* (*OM*, i, 266).

[29] Hüsameddin, 'Molla Fenârî', a, 372.

Fenârî's having won the favour of the Grand Vezir Çandarlı Hayreddin Halil Paşa, who died in 789/1387. The only author actually to attempt to date this medrese appointment is İsmail Beliğ, who states that Molla Fenârî went to Egypt when he was just twenty, then returned to Rum, and, having won the regard of Murad I, was appointed müderris at the Manastır medrese in 770/1368–9. In 771/1369–70 he replaced Koca Mahmud as kadı of Bursa.[30]

İsmail Beliğ's dating of the former appointment, though remotely possible, is certainly questionable. By Ottoman reckoning Molla Fenârî would have been twenty in Şafar 770, and it is perhaps possible to suppose that he could have returned from Egypt in time to be appointed at the end of the year. Such a dating, however, runs contrary to the other accounts of Molla Fenârî's trip to Egypt and has little or nothing to support it. İsmail Beliğ's dating of the latter appointment is likewise almost certainly wrong in the light both of the evidence which follows about the dating of Molla Fenârî's kadılık and of the fact that Molla Maḥmūd b. Muḥammad, known as Koca Efendi, seems to have held the office of kadı of Bursa from at least 759/1358 to at least approximately 783/1381–2, the latter date being fixed by the fact that Koca Efendi, as kadı of Bursa, headed the delegation sent by Murad I to Germiyan to bring back the bride for Şehzade Bayezid.[31] Nevertheless, though the dates may fairly safely be disregarded, İsmail Beliğ seems right in suggesting that Molla Fenârî received first the müderrislik on his return from Egypt and then, later, the kadılık of Bursa.

One other problem raised by İsmail Beliğ's account deserves attention, namely the question of whether Molla Fenârî held these posts—and the Müftilik when he was appointed to it, almost certainly at a later date—consecutively or simultaneously (or, perhaps better, cumulatively). Taşköp-

[30] İsmail Beliğ, 240, followed by Walsh, 'Fenārī-zāde' in *EI*².

[31] Taş, i, 77–8; Mecdî, 37. The earlier date appears to be established by the signature on a *vakfiye* quoted in Mecdî's *tezyil* and dated in that year. Koca Efendi signs himself

محمود بن محمد المقلد فى ممالیك المقلد

which—or the context of which—Mecdî takes to mean that he was kadı. Though Taş says that he was appointed kadı of Bursa in Murad I's time, Mecdî notes that the appointment must have occurred in the time of Orhan in view of this signature. Mecdî also says that the books of history record that he was both kadı and kazasker for forty years. Both Âşıkpaşazade (Apz/Giese, 53) and Neşrî (Neşrî/Ank, i, 206–8) say that Koca Efendi, the kadı of Bursa, was in the delegation sent to bring back Bayezid's bride (Koca Efendi's name is omitted in Apz/Âli Bey, 58). About the date of this event there is some question. Neither Âşıkpaşazade nor Neşrî gives a date, though two of Giese's MSS. give 783/1381 as the date of the marriage and the taking of Kütahya (Apz/Giese, 54, n. 3). The evidence of the 'chronological lists' is inconsistent: four published by Turan and Atsız variously record the taking of Kütahya and the provinces of Germiyan as having occurred in 777, 780 (two) and 783 (Atsız, *Takvimler*, 100–1, 24–5; Turan, *Takvimler*, 52–3, 18–19). On these lists see also Ménage, 'Historiography', especially 170–1; Ménage, *Neshrī*, 14–17; İnalcık, 'Historiography', especially pp. 157–9. See also the latter author's article 'Bāyazīd I' in *EI*²: 'In about 783/1381 [Bāyazīd] was appointed governor of the province which was taken from the Germiyānids in guise of a dowry from his wife, Sulṭān Khātūn.'

rüzade's statement about the three posts is ambiguous in this respect, although his assertion that Molla Fenârî was unable to make fair copies of a number of his works because of his duties as kadı, müderris and Müfti might be taken to imply that he held the posts simultaneously. In speaking of Molla Fenârî's going off to Karaman (probably in 805/1402–3), moreover, he says that 'he abandoned his posts (*manāṣibahu*)'.[32] Mecdî has certainly taken Taşköprüzade to mean that Molla Fenârî held the posts simultaneously, for he adds to Taşköprüzade's statement about his holding the offices the sentence: 'He united the aforementioned posts at one time.'[33] No later Turkish author really deals with the problem except İsmail Beliğ, who, in his article on Molla Yegân, states that the latter succeeded Molla Fenârî as müderris at the Manastır medrese in 771/1369–70 and as kadı of Bursa in 822/1419 when Molla Fenârî went on the pilgrimage and spent some time in Egypt on his return.[34] While İsmail Beliğ may have some evidence for this view, evidence which in any case he does not mention, it is worth pointing out that by the time he was writing, the combination of such important posts would have been highly unusual, if not unknown, whereas in the early days of the Ottoman state it was not uncommon. Molla Hüsrev, for example, was, in 863/1459, appointed not only to the kadılık of Istanbul but also to those of *Khawāṣṣ-i rafī'a* (Eyüp), Galata and Üsküdar as well as the müderrislik of the Ayasofya medrese.[35] As has already been shown, moreover, and as will be referred to again,[36] the combination of a müderrislik and a müftilik was very common in later times, particularly in the case of the Müfti; and it is entirely possible that the müderrislik of the Manastır medrese carried with it, perhaps even from the start, official or semi-official recognition as müfti of Bursa. If such was indeed the case, the assertion of later authors that the Müftilik was created in the time of Murad II, if it has any validity at all, would have to be interpreted as the elevation of an already existing semi-official or official post of no particular consequence, as, in effect, the

[32] See n. 3 above and Taş, i, 87, 88. For the journey to Karaman, see below, pp. 83 et sqq.

[33] Mecdî, 49. Ibn Taghrībirdī (*al-Manhal*, f. 151b), in speaking of Molla Fenârî's return from Egypt, says: 'Then he returned to the lands of Rum and gave fetvas, taught, and held the chief judgeship (*ḳaḍā' al-ḳuḍāt*) in the city of Bursa for a time.'

[34] İsmail Beliğ, 252–3. For Molla Yegân, see below, pp. 98 et sqq. Taşköprüzade, in his article on Molla Yegân (i, 138–40), says that Molla Yegân succeeded to all three positions after Molla Fenârî, but again the statement is ambiguous in respect of this particular problem.

[35] Taş, i, 184; Mecdî, 137; and below, pp. 165–6. This is not to say that combinations of a kadılık, a müderrislik and a müftilik were unknown in places of lesser importance in later times. The teacher at one of the medreses listed in TS/D8823, for example, combined the posts of müderris, müfti and kadı in Merzifon (p. 22, left)—this perhaps about 1500—while Molla Mirza Mahdum is said to have held the kadılık of Amid (as a mevleviyet), the müderrislik of the Hüsrev Paşa medrese and the müftilik there simultaneously in 986/1578 (Atâ'î, 298): cf. above, Chapter II, n. 103.

[36] See above, pp. 62 et sqq., and below, pp. 108–9.

transformation of the müftilik of Bursa into the Müftilik of the Ottoman lands.

Something more definite can, fortunately, be said about Molla Fenârî's first period of office as kadı of Bursa. Hüsameddin, without citing a relevant source, confidently associates Molla Fenârî's appointment to the kadılık with Bayezid I's purge of the kadıs of Anadolu and dates the latter event in 795/1392–3.[37] Though the evidence for so precise a statement is not at all clear, he does also present two pieces of documentary evidence which appear to provide at least a probable *terminus post* and *ante quem* respectively for the appointment. The first is a *vakfiye* of Gülçiçek Hatun's (the mother of Bayezid I), dated 791/1389, which, according to Hüsameddin, bears the signature of Ali b. Ahmed, kadı of Bursa; the second is a *vakfiye* of [Çandarlı] Ali Paşa b. Hayreddin Paşa's which is dated Dhu 'l-Ḥijja 796/September–October 1394 and bears, among others, the signature of 'Mehmed b. Hamza b. Mehmed al-Geredī (?),[38] *ḥākim* of the capital

[37] Hüsameddin, 'Molla Fenârî', a, 373–5. For the purge of the kadıs, see, for example, Apz/Giese, 62–4; Neşrî/Ank, i, 330–8; Âli, v, 103–5; Sa'deddin, i, 136–40; Müneccimbaşı/Nedim, iii, 308 (one of Hüsameddin's principal sources and the only one cited here: see also the re-translation from the Arabic into modern Turkish in 2 vols. by İsmail Erünsal, *Sahaif-ül-ahbar fî Vekayi-ül-a'sâr*, Istanbul, 1974); Uzunçarşılı, *İT*, 84–5. None of these mentions Molla Fenârî at this point or indeed that the kadı of Bursa was involved in the purge at all. The chronicles give some support for the date 795, though Uzunçarşılı opts for the equally possible 796/1394; but so uncertain is the chronology of events in the period that one is hesitant to adopt a date on the evidence of the chronicles alone.

[38] الکردی : Hüsameddin ('Molla Fenârî', a, 375) notes that the *nisba* may be read either as al-Kurdī or as al-Geredī (Turkish: Geredeli) and argues persuasively for the latter reading on the basis of an intended rhyme with al-Şamadī. There seems to be no good reason to doubt that the signature is that of Molla Fenârî, though this is the only instance of such a *nisba* in the signatures thus far found: cf. the documents cited below in the text (signed as kadı/kazasker and having no *nisba*) and the fetvas in *İS*, 323–6 (signed 'Mehmed el-Fenârî').

The *Shaḳā'iḳ* gives two explanations of al-Fenārī: one from al-Suyūṭī, on the authority of his teacher, that it relates to the craft of the *fannār* (? – Hüsameddin (ibid., 369, n. 4) glosses this as *fenerci*, usually 'lighthouse keeper' or 'lamplighter' but here 'lantern maker' ?); the other from Taşköprüzade's grandfather, through his father, that it relates to the village of Fenār (Taş, i, 84–5; Mecdî, 47). Hüsameddin suggests that there may have been a village named Fenār in the kaza of Gerede, a suggestion which, if true, would lend credence to the explanation of al-Fenārī as deriving from a village and at the same time suggest an explanation for the otherwise difficult الکردی. Uzunçarşılı, without naming a source, confidently associates Molla Fenârî with a town named Fenar 'in the Bursa Yenişehri/İnegöl area' (*İT*, 228). The only present-day centres of population named Fenar/Fener listed in *Turkey (Gazetteer no. 46)* (United States Board on Geographic Names, U.S. Government Printing Office, n.d.) are in, and to the west of, Istanbul and seem unlikely birthplaces for Molla Fenârî. One might note the existence of the town Mollafenari which lies between Istanbul and İzmit, though it is unknown to the present author how the town got its name.

On another point, it should be noted in passing that there are the signatures of two other men on the document, both of whom Hüsameddin identifies as kazaskers. His assumption here, and assertion later (ibid., p. 375, n. 2), that there were two kazaskerliks at this period is unsupported by any evidence, however, and it is to be remarked that neither

(*darülmülk*), Bursa, ... and of [the] other lands ...'. Provided always that the signatures are contemporaneous with the documents, it would thus seem that Molla Fenârî was appointed to the kadılık between those two dates. It is virtually certain that he was kadı of Bursa in 802/1400, for there exist three documents of Bayezid I's dated in that year which bear the signature of Molla Fenârî as kadı of Bursa;[39] and that he was still kadı at least well into 804 is indicated by yet another document cited by Hüsameddin, the *vakfiye* of the *subaşı* İnebeg b. Felekeddin which is dated Sha'bān 804/March 1402.[40]

The next event in Molla Fenârî's life was his leaving Bursa and going to Karaman. Ibn Ḥajar merely says that after having served as kadı of Bursa for a while, 'he went to Konya and settled there'. Taşköprüzade and Mecdî assign this event to the reign of Bayezid I (1389–1402), saying that as a result of a quarrel between Molla Fenârî and that sultan, the former abandoned his posts and went off to Karaman where the emir gave him a salary of 1,000 akçe a day and each of his pupils 500 akçe a day. Bayezid I later repented of what he had done and sent to the ruler of Karaman requesting the return of Molla Fenârî, whereupon Molla Fenârî returned to his former positions.

Hüsameddin rejects the story of the quarrel and the dating of Molla Fenârî's departure in the reign of Bayezid I, asserting that Karaman had been wholly taken over by the Ottomans in 793/1391 while the documents (dated 796, 802 and 804) show Molla Fenârî's period of office as kadı to have fallen after that date; and he says rather that Molla Fenârî returned to Karaman with Karamanoğlu Mehmed Bey in early 805/summer 1402, following the battle of Ankara (Dhu 'l-Ḥijja 804/July 1402), when the latter was freed and reinstated by Timur and Karaman reconstituted as an independent state.[41] Uzunçarşılı follows much the same line, though perhaps in an attempt to salvage something of the Taşköprüzade/Mecdî story he suggests in effect that in that story Mehmed I (1413–21) should be read for Bayezid I: he thus concludes that Molla Fenârî left for Karaman either in the confused period following Ankara or in the time of Mehmed I, in the

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signature mentions the office held by the signer. It seems more likely that one (or both) was signing in a capacity other than as kazasker; or, alternatively, that both held the office of kazasker at some time, but only one at the time of the signing of the document.

[39] See the *vakfiye* in H. Adnan Erzi, 'Bursa'da İshakî Dervişlerine Mahsus Zâviyenin Vakfiyesi', *Vakıflar Dergisi*, ii (1942), 423–30 (including facsimile); and the *vakfiye* (for the mosque complex including the Yıldırım medrese) and *istibdalname* (a document whereby Bayezid I was enabled to take over for his mosque land forming part of the *evkaf* of his grandfather, Orhan, by substituting another village for it) in Ekrem Hakkı Ayverdi, 'Yıldırım Bâyezid'in Bursa Vakfiyesi ve Bir İstibdalnâmesi', *Vakıflar Dergisi*, viii (1969), 37–46 (with facsimiles). Both *vakfiye*s are dated mid-Ramaḍān 802/May 1400. The *istibdalname*, as published, is a Turkish translation made in 896/1491 of an Arabic original written in 802/1400: according to a marginal note, the original was in the hand of Molla Fenârî, *ḥākim* (kadı) of Bursa.

[40] Hüsameddin, 'Molla Fenârî', a, 376.

[41] Ibid., 376–7.

manner described by Taşköprüzade.[42] The dismissal of the Taşköprüzade version of events by Hüsameddin and Uzunçarşılı is perhaps too abrupt, since Karaman seems to have been incorporated into the empire only after the battle of Akçay in 800/1397, some eight years into Bayezid I's reign and some four years after Molla Fenârî appears to have become kadı.[43] It is, however, certain that Molla Fenârî was in Karaman at a date much later than Bayezid I's reign, as will be shown; and as there is no evidence to suggest a journey before 800/1397 or to support the possibility that he made two journeys to Karaman, it seems justifiable to treat the Taşköprüzade story with some caution.

That Molla Fenârî was not unaffected by the upheaval caused by Timur is indicated by Âşık Çelebi who, in the biography of his own father, Sayyid 'Alī, writes as follows: 'In the interregnum [caused by] Timur (*Timur fetretinde*), Emir [Sultan Buhârî] Efendi, Molla Fenârî and Sayyid Naṭṭā' [Âşık Çelebi's great-grandfather] fell prisoner to Timur's men; and though at first they were afflicted with chains and fetters, they were later freed out of respect for the distinction of [their] status as seyyids and the distinction of [their] learning.'[44] Âşık Çelebi says no more about Molla Fenârî's fate, but it may well be that it was after this experience that Molla Fenârî went to Karaman. Though there appears to be no evidence to support Hüsameddin's assertion that Molla Fenârî actually went in company with Karamanoğlu Mehmed Bey, the fact that the former dedicated his commentary on the *Fātiḥa*, *'Ayn al-a'yān*, to the latter and praises him fulsomely in the preface[45] suggests a close connection between the two and is a further indication that it was during Karamanoğlu Mehmed Bey's rule (1402–19, 1421–3) that Molla Fenârî's sojourn in Karaman occurred.

That his departure can be dated as late as the reign of Mehmed I—Uzunçarşılı's alternative suggestion—is, however, rendered unlikely by the fact that there exists a *vakfiye* dated Rajab 808/December 1405–January 1406 which carries the signature of Ibrāhīm b. Khalīl (Çandarlızade) as *ḥākim* (kadı) of Bursa.[46] Provided again that the signature is contemporaneous with the document, it would thus seem virtually certain that Molla Fenârî had left the kadılık of Bursa, and very possibly departed for Karaman, by that date. Yet another document published by Uzunçarşılı is useful for

[42] Uzunçarşılı, *OT*, ii, 645, especially n. 2.

[43] Hüsameddin, in giving 793, is following Müneccimbaşı/Nedim, but see Danişmend, i, 112–13; Uzunçarşılı, *OT*, i², 295–8; İnalcık, 'Bāyazīd I' in *EI²*; F. Sümer, 'Ḳarāmān-Oghullarī' in *EI²*.

[44] Âşık Çelebi, f. 182b. According to Uzunçarşılı (*OT*, i², 315), the three were brought to Timur in Kütahya.

[45] Mecdî (p. 53) mentions the dedication in his *tezyil*, while Hüsameddin ('Molla Fenârî', a, 378, n. 8) quotes a passage in praise of Mehmed Bey from Molla Fenârî's preface.

[46] Uzunçarşılı, 'Çandarlı zâde Ali Paşa vakfiyesi', *Belleten*, v (1941), 549–76 (with facsimile).

establishing a *terminus post quem* for Molla Fenârî's return, namely the *vakfiye* for Karamanoğlu Ali Bey's Ak medrese in Niğde, written and registered (*tescil*) by the *ḥākim* of Niğde, Muḥammad b. Mūsā, in mid-Rabī' I 818/May 1415 and bearing a confirmatory *şerh* by Muḥammad b. Ḥamza b. Muḥammad written in the latter part of Jumādā II 819/August 1416.[47] It thus appears certain that Molla Fenârî was still in Karaman at that date.

Precisely when and in what circumstances Molla Fenârî returned to the Ottoman lands is not entirely clear, though both Ibn Ḥajar and Taşköprüzade assert that he had returned by the time he went on the pilgrimage in 822/1419. Taşköprüzade's statement that he came back at the request of a repentant sultan is, of course, highly doubtful in view of the fact that his departure and return seem certain to have occurred in the reigns of different sultans. Ibn Ḥajar gives a different account of the manner of his return, writing that when war broke out between the Ottoman and Karamanid rulers and the latter was defeated, the former took Molla Fenârî to Bursa.[48] The only major Ottoman initiatives against the Karamanids in the years immediately before 822/1419 that are reported by the Turkish sources are two campaigns, apparently in successive years, in each of which the Ottomans defeated Karamanoğlu Mehmed Bey and attacked Konya. The generally accepted dates for these campaigns are 817/1414 and 818/1415; and it is likewise generally accepted that the second resulted in a much more decisive Ottoman success than the first.[49]

With respect to the question of the dating of the campaigns, however, the principal Arabic source, Ibn Ḥajar, writes in a different context that in Sha'bān 820/September–October 1417, the Ottoman ruler (Mehmed I), after having besieged Konya, seized Karamanoğlu Mehmed Bey and his son Mustafa and took possession of Konya, Kayseri, and most of the Karamanid lands.[50] The earliest Ottoman sources, the chronological lists, moreover, give some support for this statement. Though not consistent among themselves, they date the first, less conclusive campaign in 818 or 819, the second, more decisive one which, they say, resulted in Konya's being taken and plundered, in 819, 820 or 821; and the statements in the earliest extant

[47] Uzunçarşılı, 'Niğde'de Karamanoğlu Ali Bey Vakfiyesi', *Vakıflar Dergisi*, ii (1942), 45–80 (with facsimile). Though Molla Fenârî's office is not mentioned in the signature, it seems likely that Uzunçarşılı is right in saying that he was kazasker (p. 45).

[48] Ibn Taghrībirdī (*al-Manhal*, ff. 151b–152a) likewise associates Molla Fenârî's return with the defeat of 'Ibn Ḳarāmān' by 'Ibn 'Uthmān'.

[49] See, for example, Neşrî/Ank, ii, 528–34; Danişmend, i, 172–3; Uzunçarşılı, *OT*, i², 352–3; F. Sümer, 'Ḳarāmān-Oghullarî' in *EI²*, iv, 623b (where '(812/1414)' should be corrected to '(817/1414)'). Considerable confusion surrounds not only the dating but also the circumstances and results of these campaigns; for an account of the various traditions Danişmend is particularly useful.

[50] Ibn Ḥajar/İnalcık, 518, 525; Cairo edition, iii, 133; Hyderabad edition, vii, 263. See also al-Maḳrīzī, *Kitāb al-sulūk*, iv, pt. 1, 416, where it is stated that the letter from 'al-Amīr Sulaymān [*sic*] b. 'Uthmān' bearing this news reached the Mamlūk sultan in Aleppo on 8 Sha'bān 820/20 September 1417.

list, itself dated 824/1421, lead to dates of 818 and 820 for the two campaigns.[51] The need for further study of this confused period is clearly indicated, but the statements of Ibn Ḥajar (and al-Maḳrīzī) and of the earliest chronological list (*inter alia*), and the document indicating Molla Fenârî's presence in Karaman in Jumādā II 819/August 1416 provide at the least a consistent basis for explaining the reason for, and establishing the date of, Molla Fenârî's return; and it may therefore be tentatively concluded that Molla Fenârî returned to the Ottoman lands some time in, or shortly after, Sha'bān 820/September–October 1417.

Taşköprüzade, as has been noted before, says that Molla Fenârî, on his return, took up his former positions, these being, presumably, the kadılık of Bursa and the müderrislik of the Manastır medrese. Ibn Ḥajar states that after 'Ibn 'Uthmān' brought Molla Fenârî back from Karaman, 'he entrusted him with the kadılık of his land. And [Molla Fenârî's] standing rose in [the sultan's] estimation and he occupied the highest place therein and consulted with the sultan in all affairs [of state] and became as the vezir. ...'[52] Hüsameddin is even more specific, writing that Molla Fenârî was, on his return, given his old professorship and [then (?)] made kadı of Bursa a second time when Molla Yegân Mehmed Çelebi (Molla Yegân) retired from the post in 818/1415–16.[53] Hüsameddin offers nothing in the way of specific evidence to support his statement either about Molla Yegân's resignation or about Molla Fenârî's appointment, however, and is indeed at pains to say that in spite of much research he has been unable to find any signatures of Molla Fenârî's dating from this second kadılık. On the basis of the Karamanid document mentioned above, one would necessarily question Hüsameddin's dating of the appointment, but there seems to be no reason to doubt the consensus of the early sources on the fact of it.[54]

After the passage quoted just above concerning the esteem in which Molla Fenârî was held and his place in the state, and before passing on to the next event in his life, namely his going on the pilgrimage in 822 (8 Dhu 'l-Ḥijja = 26 December 1419), Ibn Ḥajar writes that Molla Fenârî became widely known for his erudition and that he was both pious and abundant in culture and merit 'except that he was censured for [espousing] the sect of Ibn al-'Arabī and for the fact that he taught the *Fuṣūṣ* and affirmed it': he goes on

[51] Turan, *Takvimler*, 20, 56; Atsız, *Takvimler*, 26–8, 102. According to Uzunçarşılı (*OT*, i², 352, n. 2), the unpublished Nuruosmaniye Library list gives 817, apparently for the first of the campaigns (but cf. the quotation from what appears to be the same list in Ménage, *Neshrī*, 76, where the entry is dated 818).

[52] *fī ma'nā al-wazīr*. Ibn Taghrībirdī (*al-Manhal*, f. 152a) says much the same, writing that Molla Fenârî became the *mudabbir* [of the Ottoman lands].

[53] Hüsameddin, 'Molla Fenârî', a, 379.

[54] In his mention of Molla Fenârî's visit to Egypt in 823/1420 (see below), al-Maḳrīzī refers to Molla Fenârî as *ḳāḍī mamlakat al-Amīr Muḥammad Gureshjī b. 'Uthmān bi-bilād al-Rūm* (*Kitāb al-sulūk*, iv, pt. 1, 523). Ibn Taghrībirdī (*al-Manhal*, f. 152a) also says that Molla Fenârî was appointed kadı for the second time on his return from Karaman.

to say that Molla Fenârî, on the advice of friends, abjured mention of the subject in Egypt.[55] Hüsameddin uses this statement to link Molla Fenârî with the turbulent political scene toward the end of Mehmed I's reign, writing that because of his predilection for mysticism (with particular mention of the *Fuṣūṣ*), '[Molla Fenârî] attracted the attention of the ulema and men of state, since there were those [of them] who saw the statements of Molla Fenârî as influencing the actions and feelings of the Melāmīs and Ḥurūfīs who were making their appearance in the regions of Rumeli and Anadolu.' Hüsameddin goes on to make clear that he means the revolts associated with Shaykh Badr al-Dīn Maḥmūd b. Ḳāḍī Samāwnā (Şeyh Bedreddin) and specifies four men who, he says, led the criticism of Molla Fenârî: Molla Burhān al-Dīn Ḥaydar Herewī (Burhaneddin Haydar Herevî), 'the müfti in Edirne', who was to give the fetva sanctioning Şeyh Bedreddin's execution; Molla Yegân; Ḳuṭb al-Dīn Iznīḳī-zāde Bahā' al-Dīn 'Umar Çelebi (Bahaeddin Ömer); and the vezir Ḥājjī 'Iwaḍ Pasha (Hacı İvaz Paşa).[56] As is the case with much of Hüsameddin's material, reasonable hypothesis is here buttressed with very little in the way of evidence. Molla Fenârî and Şeyh Bedreddin shared a devotion to the thought of Ibn al-'Arabī, and it may well be that even if Molla Fenârî thoroughly disapproved of the rebels' activities he was compromised in the eyes of many by those shared beliefs. Burhaneddin Haydar Herevî may, from his actions, be presumed to have disapproved of Şeyh Bedreddin, which is not necessarily to say that he disapproved of Molla Fenârî. The enmity between Hacı İvaz Paşa and Molla Fenârî is the subject of an anecdote in the biographies of the latter, but the cause of the enmity is not given. There was likewise, apparently, bad blood between Molla Fenârî and Molla Yegân, but the stated cause is personal, not political. It is certainly not impossible that these apparently isolated strands come together in some actual or supposed connection between Molla Fenârî and Şeyh Bedreddin and that Hüsameddin's extended and ingenious gloss on Ibn Ḥajar's brief statement—the placement of which must indeed be taken into account—has some, possibly much, truth in it. It is, unfortunately, impossible in the absence of any real evidence to judge how much.

In 822/1419, Molla Fenârî performed the pilgrimage; and, on his return,

[55] In an earlier passage concerned with Molla Fenârî's departure from Egypt following his visit there in 823 (see below), Ibn Ḥajar says much the same thing: 'And he kept secret that which he revealed [openly] in his own land, namely [his] devotion to Ibn al-'Arabī and [his] engaging the people in [the study of] the *Fuṣūṣ* and other works.' (Ibn Ḥajar/İnalcık, 519, 526; Cairo edition, iii, 217; Hyderabad edition, vii, 379.)

[56] Hüsameddin, 'Molla Fenârî', a, 380–1. For Şeyh Bedreddin, see M. Şerefeddin Yaltkaya, 'Bedreddin Simâvî' in *İA*; H. J. Kissling, 'Badr al-Dīn b. Ḳāḍī Samāwnā' in *EI²*. For a discussion of the conflicting dates given for his execution (e.g. Kissling: 18 December 1416 [27 Shawwāl 819]; Yaltkaya: 823/1420), see Uzunçarşılı, *OT*, i², 365, n. 2, who favours the latter date (cf. Danişmend, i, 180). For Burhaneddin Haydar Herevî, see Taş, i, 119–20; Mecdî, 83; for Molla Yegân, see below, pp. 98 et sqq.; for (Molla) Bahaeddin Ömer, Taş, i, 98; Mecdî, 59; for Hacı İvaz Paşa, below, pp. 92–3. I have not been able to trace a connection of any sort between Bahaeddin Ömer and Molla Fenârî.

having been sought out by Sultan al-Mu'ayyad Sayf al-Dīn Shaykh (815–24/1412–21), he entered Egypt. His visit to Egypt occasions notices in al-Maḳrīzī, Ibn Ḥajar and al-Ṣayrafī which agree in most respects and of which that of Ibn Ḥajar is the most detailed.[57] All three write that he went on the pilgrimage in 822, al-Maḳrīzī saying that he had gone by way of Damascus, Ibn Ḥajar and al-Ṣayrafī possibly implying that he went from Jerusalem since they write that he 'returned' (*'āda*) there after the pilgrimage: the two versions are not, of course, mutually exclusive in any case, and the latter two authors may well mean no more than that he returned [from the pilgrimage] to Jerusalem. After his return he was sent for by the Mamlūk sultan who wished to learn from him the state of affairs in Rum; and he entered Cairo on either 4 Ṣafar 823/19 February 1420 (Ibn Ḥajar and al-Ṣayrafī) or Tuesday 4 Rabī' I 823/Tuesday 19 March 1420 (al-Maḳrīzī). The sultan lodged him with al-Ḳāḍī Zayn al-Dīn 'Abd al-Bāsiṭ, the overseer of the treasury (*nāẓir al-khazāna*), and honoured him greatly, ordering the notables to do likewise. According to Ibn Ḥajar, Molla Fenârî seems to have ignored a number of invitations to audiences with the sultan, but was finally present at an audience to celebrate the Prophet's birthday, held, according to al-Maḳrīzī, on Friday 7 Rabī' I. Molla Fenârî, who was seated below the *shaykh* of the Mu'ayyadiyya, Ibn al-Dayrī, took no part in the learned debate which occurred at that audience but was later present at a private audience with the sultan, when the two conversed. On 22 Rabī' I 823/6 April 1420, Molla Fenârî departed from Cairo for the Ottoman lands, accompanied by his son-in-law (? – *ṣihr*), Shaykh Aḥmad b. Shams al-Dīn al-Jazarī,[58] and an ambassador bearing a letter from the Mamlūk sultan to Mehmed I. al-Maḳrīzī adds that during his stay, Molla Fenârî had given a number of lessons in *fiḳh* and *uṣūl* in the Bāsiṭī mosque.

Hüsameddin devotes a good deal of space to Molla Fenârî's pilgrimage, making full use of the Arabic sources and adding a certain amount of material of his own.[59] With respect to the reason for Molla Fenârî's going on the pilgrimage, he writes that an invasion of Edirne and its environs by the combined forces of Şeyh Bedreddin and Düzme Mustafa led Molla Fenârî to seek permission to go on the pilgrimage, though it is not clear whether Hüsameddin means that simply the fact of the invasion or that Molla Fenârî's supposed complicity with Şeyh Bedreddin led him to decide to remove himself from the scene: in any case both the circumstances and the

[57] al-Maḳrīzī, *Kitāb al-sulūk*, iv, pt. 1, 523-4, 524, 525. Ibn Ḥajar/İnalcık, 519, 526 (where the account of his arrival is omitted, however); Cairo edition, iii, 216, 217; Hyderabad edition, vii, 378, 379. 'Alī b. Dāwud al-Ṣayrafī al-Khaṭīb al-Jawharī (d. 900/1494–5), *Nushat al-nufūs wa 'l-abdān fī tawārīkh al-zamān*, ed. Ḥasan Ḥabashī, pts. 1 and 2, Cairo, 1970–1, pt. 2, 469. See also Ibn Taghrībirdī, *al-Manhal*, f. 152a, and as cited in Hüsameddin, 'Molla Fenârî', b, 149.

[58] Presumably as in Taş, i, 103–6; Mecdî, 63–5. The link by marriage is not mentioned either here or in the article on Molla Fenârî.

[59] 'Molla Fenârî', a, 383, and b, 148–50.

chronology of events in the period are too uncertain to allow one to evaluate the argument properly.[60] Hüsameddin adds that an 'ostensible reason' (*suret-i zahirde bir sebeb*) for his going may be found in his desire to meet with Shaykh Zayn al-Dīn Muḥammad Khawāfī (Şeyh Zeyneddin),[61] who was then making his way toward the Hijaz from Khorasan. He then writes that in the early part of 821/early 1418, Molla Fenârî appointed his younger son, Sinān al-Dīn Yūsuf Bālī Çelebi (Yusuf Bâlî), as *naib* for the kadılık of Bursa and with his elder son, Muḥyi 'l-Dīn Muḥammad Shāh Çelebi (Mehmed Şah Fenârî),[62] went directly to Egypt where he spent Ramaḍān at the Zayniyya medrese and awaited the arrival of Şeyh Zeyneddin, with whom he subsequently made the pilgrimage in 822, departing from, and returning to, Jerusalem.

Only for the statement that Molla Fenârî turned over the kadılık of Bursa to his son, Yusuf Bâlî, as *naib*, does Hüsameddin offer any source, this being a signature of Molla Hüsrev's on a copy of a *vakfiye* originally drawn up in late Jumādā II 821/late May–early June 1418 attesting that 'it' had been written by 'Mawlānā Sinān al-Dīn Yūsuf Bālī b. al-Mawlā al-Fenārī'. Though something in the provenance or context of the document may justify Hüsameddin's assertion, it must be noted that the signature itself does not do so. The Arabic, for example, is ambiguous in respect of whether it is the copy or the *vakfiye* itself that Yusuf Bâlî—who held the kadılık of Bursa for a time in the 840s—wrote; and, on the evidence of the signature alone, it seems entirely possible that at some point, perhaps during his kadılık, he made a copy of the *vakfiye* which Molla Hüsrev subsequently attested to be a true copy.[63] Even on the assumption that Yusuf Bâlî did draw up the original *vakfiye* and not just the copy, it does not by any means necessarily follow

[60] See above, n. 56, for example.

[61] Zayn al-Dīn Abū Bakr Muḥammad b. Muḥammad al-Khawāfī: see Taş, i, 132–4; Mecdî, 91–3 (where his biography is included after those of three of his disciples (Taş, i, 126–32; Mecdî, 87–91) and his *nisba* is given as al-Khāfī); D. Margoliouth, 'Zain al-Dīn' in *EI*[1].

[62] For Mehmed Şah and Yusuf Bâlî, see Taş, i, 96–7; Mecdî, 56–8.

[63] هذه صورة وقفية اوقاف خاص بوغا التى كتبها مولانا سنان الدين يوسف بالى بن المولى الفنارى مرره [حرره] المفتقر الى ربه المعز محمد بن فرامرز القاضى بيروسة المحروسة عفى عنهما

Hüsameddin, 'Molla Fenârî', a, 383, n. 26. For Molla Hüsrev as kadı of Bursa, see below, p. 165.

The grammatical ambiguity (which can be precisely reproduced in English) may have been resolved in practice by usage, and it should be noted that in a similarly worded superscription to a copy of the *vakfiye* of Orhan Bey (Hüsameddin, 'Orhan Bey'in vakfiyesi', *TTEM*, year 16 (1926), no. 17/94, 284–301, especially pp. 284, 294, in which latter place, however, Hüsameddin's translation of *nuffidhat* as *tenfiz eyledim* might be questioned), it is probably the case that the *katabahā* refers to the *vakfiyya* and not to the *ṣūra*. One's doubts about Yusuf Bâlî's being *naib* in 821 are prompted simply by the fact that if the account of his elder brother Mehmed Şah's career is correct (see below, p. 105), the latter would have been only eighteen in 821.

that he was acting as *naib* in so doing; nor, further, does it necessarily follow that if he were acting as *naib*, he was doing so in his father's absence from Bursa, much less his absence on the pilgrimage. The evidence of the signature is thus open to so many alternative interpretations that it cannot by itself be taken to indicate, let alone prove, that Molla Fenârî had left Bursa for the pilgrimage by that date.

Hüsameddin's circumstantial statement that Molla Fenârî passed Ramaḍān 821 in the Zayniyya medrese in Cairo presumably derives from some source and, if true, would to some degree strengthen the case for Hüsameddin's interpretation of the signature in so far as it would show that Molla Fenârî did leave unusually early for the pilgrimage which he did not in fact make until 822. The only one of the sources to provide any sort of basis for Hüsameddin's statement, however, appears to be Ibn Taghrībirdī, who seems to say that when he [Molla Fenârî] stayed in Cairo, his son prayed the *tarāwīḥ* (a Ramaḍān prayer) in the medrese of al-Zaynī ʿAbd al-Bāsiṭ b. Khalīl al-Kāfūrī of (?) Cairo, a curious sentence in that it is wholly out of context. No other mention is made of the fact that Molla Fenârî's son (presumably Mehmed Şah) was with him; and, though the sentence is in the context of the visit of 823, it presumably must refer to an earlier Ramaḍān.[64] None of the other Arabic sources cited refers either to a visit earlier than the one in 823 or to the presence of Mehmed Şah on this pilgrimage;[65] and, on the latter point, it may be significant that in the account in the Arabic sources of Molla Fenârî's departure from Egypt (22 Rabīʿ I 823/6 April 1420) the presence of his son-in-law, but not of his son, is mentioned.

Again, none of the obvious sources mentions any direct link between Molla Fenârî and Şeyh Zeyneddin, whether in connection with the pilgrimage or otherwise, but in this case there are several suggestive facts. It is known, for example, that Şeyh Zeyneddin was in Egypt in 822,[66] and there also exists an exchange of mutually adulatory *ḳaṣīda*s between Molla Fenârî and Şeyh Zeyneddin's disciple and close friend, Shaykh ʿAbd al-Laṭīf b. ʿAbd al-Raḥmān al-Maḳdisī (sometimes al-Ḳudsī), known as Ibn Ghānim, in which Molla Fenârî declares his intention to go to Jerusalem and meet with Şeyh Abdüllâtif.[67] These facts do no more, however, than suggest that one

[64] Ibn Taghrībirdī, *al-Manhal*, f. 152a. So out of context is the statement that it may well be that the text of this MS. is corrupt.

[65] Cf. al-Sakhāwī, *al-Ḍaw' al-lāmiʿ*, ix, 79, where the author, in a very brief biographical notice of Mehmed Şah, quotes Ibn Ḥajar as saying that he went on the pilgrimage in '[8]30 and something' but makes no mention of an earlier visit.

[66] Margoliouth, 'Zain al-Dīn' in *EI*[1].

[67] For Şeyh Abdüllâtif (d. 1 Rabīʿ I 856/22 March 1452), see Taş, i, 126–9; Mecdî, 87–9. For the *ḳaṣīda*s, see Taş, i, 89–90; Mecdî, 52–3. Müstakimzade (f. 3a) says, erroneously, that the *ḳaṣīda* was sent to Şeyh Zeyneddin himself, which error may provide an explanation for Hüsameddin's statement. There is, in the poem, a confusing reference to Abdüllâtif's having the *laḳab* Zayn al-Dīn, a fact which is not otherwise recorded; but there can be no doubt that the poem is addressed to Abdüllâtif.

ought not to rule out the possibility that Molla Fenârî may have made the pilgrimage in company with Şeyh Zeyneddin. Hüsameddin's account of the pilgrimage closes with the statement that after a two-year absence from Turkey, during which time the Şeyh Bedreddin affair had been dealt with, Düzme Mustafa had escaped, Edirne and its environs had been recovered, and 'nothing remained to be feared', Molla Fenârî, with his son Mehmed Şah, returned to Bursa and his court and students in Jumādā I 823/May–June 1420. Whether this statement rests on a factual basis or is simply a reasonable hypothesis it is once again impossible to tell.

Because, according to the tradition, the next event in Molla Fenârî's life is his appointment to the Müftilik, it is necessary here to mention the evidence behind the tradition, while leaving till later the discussion of the validity of the tradition, since such a discussion involves evidence to be found in the careers of the two succeeding Müftis as well. While the earliest sources[68] give no clue to the date of Molla Fenârî's appointment to the Müftilik but simply state that he was Müfti, later Turkish tradition has asserted that the Müftilik was created in the time of Murad II; and as it is almost universally held that Molla Fenârî was the first Müfti, his appointment, if the tradition is to be believed, must have occurred after 824/1421, the year of Murad II's accession. Some historians go no further than saying that the Müftilik was created in the time of Murad II;[69] but others have stated that Molla Fenârî was appointed Müfti in the year 828/1424–5. Perhaps the earliest reference to this date is in a marginal note in a relatively early manuscript of Müstakimzade (the note apparently in the same hand as the text) which gives the date 828 and a chronogram: *ta'rīkh-i fatwā: al-ma'dhūn*.[70] This date has been accepted without discussion by Danişmend.[71] Rifat Efendi gives Rajab 828/May–June 1425 for Molla Fenârî's appointment not to the Müftilik but to the kadılık of Bursa, but it seems likely that this is a slip of the pen and that he means the Müftilik inasmuch as he says that Molla Fenârî went on the pilgrimage in 822/1419 before he became Müfti, an appointment he has not otherwise mentioned.[72] It is, moreover, difficult to see how Rifat Efendi could so badly misread Mecdî, whom he virtually copies. Ahmet Refik, in the *İlmiye salnamesi*, has, however, followed and added to Rifat Efendi, saying that in 828 Molla Fenârî was appointed to the kadılık of Bursa and the

[68] i.e. Taş and Mecdî. While Ibn Ḥajar makes no mention of Molla Fenârî's having held the Müftilik, Ibn Taghrībirdī says that on his return from Egypt after the pilgrimage of 822, 'he became busied with the giving of fetvas (*iftā'*) and teaching (*tadrīs*)' (*al-Manhal*, f. 152b): cf. n. 33 above.

[69] Atâ Bey, i, 34; *SO*, i, 6; Vakanüvis Lûtfi Efendi (quoted in Pakalın, iii, 349). Atâ Bey does not mention Molla Fenârî, but both *SO* and Lûtfi Efendi link Molla Fenârî with the foundation of the Müftilik, the former in the article on Molla Fenârî (iii, 159), and the latter by placing him first in the list of Müftis.

[70] Müstakimzade, Süleymaniye–Hafid Efendi 241, f. 3b.

[71] Danişmend, i, 433.

[72] Rifat Efendi, 4.

müderrislik at the Manastır medrese. He later states that in the reign of Murad II, Molla Fenârî began to perform 'a consultative function' (*müşavere-lik vazifesi*) for the sultan.[73] Later Turkish historians are thus almost universally in accord in naming Molla Fenârî as the first Müfti and—on the assumption that Rifat Efendi's version simply results from a slip which Ahmed Refik has not noticed—in placing his appointment in the time of Murad II, with some historians giving the date 828/1424–5 for the appointment. It is worth emphasising again, however, that these traditions are, apparently, of relatively recent origin and that there is early authority only for the fact that Molla Fenârî was Müfti (except, perhaps, in so far as it may be argued from Taşköprüzade that he was the first Müfti, as noted at the beginning of the chapter).

Though the thrust of the biographical sources is certainly to the effect that Molla Fenârî was during these years a figure of immense importance in the state, there is very little in the way of evidence about him or his activities. Three bits of documentary evidence exist: his signature is found confirming one of the *vakfiye*s of Hacı İvaz Paşa, dated 22 Dhu 'l-Ḥijja 827/15 November 1424; according to Hüsameddin, his signature likewise appears at the top of a *vakfiye* dated late Rabī' I 828/mid-February 1425; and he is also reported to have registered the *vakfiye* of the Ulu Cami in Bursa (built by Bayezid I), dated late Shawwāl 828/mid-September 1425. Neither in the first case nor, apparently, in either of the other two does he give his office.[74] Noting this fact in respect of the document which he cites, Hüsameddin concludes that his not troubling to mention the fact that he was kadı of Bursa points to the grandeur and importance of his position. The formal nature of the signature does indeed suggest that Molla Fenârî was signing the document in an official capacity (cf. the informal nature of the problematical signature, cited on p. 155 of Hüsameddin's article and discussed below, where Molla Fenârî has clearly been asked simply to lend his name to the proceedings); and while he was most probably acting as kadı of Bursa, as the biographical sources would suggest, it should be noted that the signature is not in itself conclusive proof of this.

The biographical sources mention a few facts and anecdotes attributable to this period, among them the fact that toward the end of his life he was afflicted with ophthalmia and became nearly or totally blind. He seems also to have become the object of the enmity of Hacı İvaz Paşa, the vezir, who had, among other things, led the successful defence of Bursa against the attack of Karamanoğlu Mehmed Bey (*c.* 816/1413) and had been the architect of the Yeşil Cami. On Molla Fenârî's going blind, Hacı İvaz

[73] *İS*, 322. Altunsu (p. 1) essentially accepts this version, adding that in 1424 [? – 827–8] he was appointed the first Şeyhülislâm by Murad II.

[74] See respectively, İ. Hakkı Uzunçarşılı, 'Hacı İvaz Paşa'ya dâir', *TD*, x/14 (1959), 25–58, especially pp. 42–3, 50; Hüsameddin, 'Molla Fenârî', b, 151; Ekrem Hakkı Ayverdi, *Osmanlı mimarisinin ilk devri*, Istanbul, 1966, 405 (where the actual signature is not quoted).

expressed the hope that he might be able to pray over Molla Fenârî's corpse. When Molla Fenârî heard of this he, in his turn, expressed the hope that he might be cured, that Hacı İvaz might be blinded, and that he, Molla Fenârî, might pray over Hacı İvaz's corpse. In the event all three of Molla Fenârî's wishes came true: he himself was cured, Hacı İvaz Paşa was blinded by the sultan (apparently in 828/1424–5) and died several years before Molla Fenârî, and the latter performed his funeral prayers.[75] How much reliance can be placed on the details of the story is perhaps open to question, but it seems safe to conclude that Molla Fenârî and Hacı İvaz were indeed enemies, for whatever reason.

Nearly all the biographical sources, beginning with Ibn Ḥajar, are agreed that in 833/August–September 1430, Molla Fenârî, out of gratitude for the recovery of his sight, went on the pilgrimage again, this time by way of Antakya, and that, having returned to Rum, he died in Rajab 834/March–April 1431.[76] Only two of the standard biographical sources suggest any alternative to this date: the *Sicill-i Osmanî* gives both 832/1428–9 and 834 as possibilities, while Âli gives Rajab 833/March–April 1430.[77] While either variant may derive from the chronological lists, discussed just below, or from Neşrî, it is just possible that Âli's 833 results from a careless reading of Taşköprüzade's account. The latter writes: 'Then he went on the *ḥajj* in the year 833 ... and returned and died in the month of Rajab.' Since 833 is the last-mentioned date, Âli may well simply have connected the Rajab and the 833.

In apparent conflict with the account of the biographical sources is the evidence of the chronological lists, followed by Neşrî. The first of the lists published by Turan (base date 849) records that sixteen years have passed since the death of, among others 'Mevlānā Shams al-Dīn [-i ?] 'ulemā-i sulṭān Fenārī-oğlu'; the two lists reproduced in part by Ménage (base dates 856 and 858) likewise show the death of 'Mevlānā Shams al-Dīn sulṭān al-'ulemā Fenārī-oğlu' to have occurred in 833; and Neşrî records the death of 'Shams al-'ulemā Shams al-Dīn ibn Fenārī' as having occurred in 832: in each case his death is at least implicitly associated with a great plague occurring in Bursa in that year.[78] The chronology of the lists would in this

[75] Taş, i, 91; Mecdî, 51–2 (his blindness is also mentioned by Ibn Ḥajar). This story is also placed in the time of Bayezid I by Taş and Mecdî, whereas it must in fact have taken place in the time of Murad II. For Hacı İvaz Paşa (d. 9 Dhu 'l-Ḳa'da 831/20 August 1428), see Uzunçarşılı, 'Hacı İvaz Paşa'ya dâir', as in the previous note. Though Uzunçarşılı here (p. 33) gives 827/1424 as the date of his blinding, the evidence for 828 (1425) appears stronger: cf. idem, *OT*, i², 397–8; Neşrî/Ank, ii, 576; Ménage, *Neshrī*, 37–8, 77.

[76] Ibn Ḥajar/İnalcık, 520, 527 (on the latter page the date of his going on the pilgrimage is erroneously given as 830); Cairo edition, iii, 465; Hyderabad edition, vii, 244. Taş, i, 85–6; Mecdî, 48. A marginal note in Mecdî (p. 53), Müstakimzade (f. 3a) and Rifat Efendi (p. 5) all give the chronogram *jannat al-firdaws*, which works out to 834.

[77] *SO*, iii, 159; Âli, v, 109.

[78] Turan, *Takvimler*, 24; Ménage, *Neshrī*, 77–8; Neşrî/Ank, ii, 608 (also Müneccimbaşı/Nedim, iii, 348). For the one-year discrepancy in Neşrî, see Ménage, op. cit., 16–17.

case, at any rate, appear to be somewhat elastic, however, since it can be shown that Hacı İvaz and İbrahim Paşa (presumably Çandarlı İbrahim Paşa), also mentioned as having died, actually did so in Dhu 'l-Ḳa'da 831/August 1428 and Dhu 'l-Ḳa'da 832/August 1429 respectively.[79] Particularly if the year intended in the lists is indeed 833—these actual death dates may be an indication that this entry should, however, be dated a year earlier, i.e. 832—but in any case in view of the general chronological uncertainty, Rajab 834 appears to fall within an allowable margin of error; and one would therefore be reluctant to dismiss the circumstantial account of a contemporary biographical source in favour of a too-strict adherence to what seems to be the slightly uncertain evidence of the chronological lists.

A certain amount of further confusion about Molla Fenârî's death date is created by Neşrî, the earliest extant version of whose work (a draft text, possibly an autograph) contains a marginal note, in the same hand as the text, stating that 'Mevlānā Shams al-Dīn Fenārī' died in 838/1434–5, despite the fact that his death has previously been noted as having occurred in 832: the statement is incorporated in the text of an early manuscript of the later recension of Neşrî but is omitted in the Ankara edition.[80] One's first thought is that this apparent contradiction arises from the confusion of Molla Fenârî with his elder son, Mehmed Şah, whose death is assigned in several of the extant chronological lists to the years 840/1436–7 or 839/1435–6. Thus the first of Turan's lists notes that it is nine years since the death of 'sulṭān al-'ulemā Muḥammad Shāh Pasha, Mevlānā Shams al-Dīn Fenārī-oğlu' (which therefore would have occurred in 840), while the lists given by Ménage record the death of 'sulṭān al-'ulemā Muḥammad Shāh Pasha' in 839.[81] The problem is not susceptible of so simple a solution, however, since

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Ménage's comments on the not wholly reliable chronology of the lists ('Historiography', 170–1) might also be borne in mind in what follows.

[79] See above, n. 75; Danişmend, i, 195; Ménage, 'Djandarlī' in *EI*². The death dates for both are recorded in inscriptions on their gravestones.

[80] See Ménage, *Neshrī*, 27–8. The earliest extant version of Neşrî, designated *Mz* in Ménage, and an early MS. of the later recension, designated *Mn* in Ménage, are to be found in vols. i and ii respectively of *Ğihānnümā die altosmanische Chronik des Mevlānā Meḥemmed Neschrī*, ed. Franz Taeschner (based on the work of Theodor Menzel), Leipzig, 1951–5: these designations are adopted in the following pages. In the present instance the relevant passages are to be found in *Mz*, 162, 164, 165; *Mn*, 239, 242, 242–3. See further n. 89, below.

[81] Turan, *Takvimler*, 26; Ménage, *Neshrī*, 78. See also Taş, i, 96–7; Mecdî, 56–7, who give Mehmed Şah's death date as 839; and Ibn Ḥajar, who gives 840 (Hyderabad edition, viii, 447: this entry appears not to be included in Ibn Ḥajar/İnalcık, and the Cairo edition at present extends only to 838). The brief obituary in the latter, which is quoted in al-Sakhāwī, *al-Ḍaw' al-lāmi'*, ix, 79, and the *Katā'ib*, f. 339b, mentions that he made the pilgrimage in '[8]30 and something', visited Cairo, returned to the lands of Ibn Ḳarāmān (?) and then died. There is, however, no record of any association of Mehmed Şah with Karaman, and it may be that 'Ibn Ḳarāmān' is a slip of the pen for 'Ibn 'Uthmān'.

In a note appended to the facsimile of the page from the *vakfiye* (dated 839/1435–6) of İsa Bey, the son of Bayezid Paşa—the page is discussed in detail below, pp.

Mehmed Şah's death is duly recorded under the events of the year 839 in the two early texts of Neşrî (838 in the Ankara edition, p. 618), at only some fifteen lines' remove from the troublesome entry for 838. As there are thus three entries for what are fairly certainly the deaths of only two men, there is clearly something amiss in these two early texts of Neşrî. It is not at all clear, however, whether the addition of the marginal note in the one, and its incorporation in the other, was prompted by new, and supposedly better, information or rather arose simply through a temporary confusion between father and son (occasioned, perhaps, by something like the confusing apposition of 'Mevlānā Shams al-Dīn Fenārī-oğlu' in the Turan entry corresponding to 840) which was then, possibly, perpetuated through inadvertence.

Still more confusion is introduced by the typically idiosyncratic account by Hüsameddin of Molla Fenârî's last years.[82] According to that author, early in Murad II's reign Molla Fenârî's position was shaken by the second revolt of the pretender known as Düzme Mustafa, associated by Hüsameddin with Şeyh Bedreddin in the earlier 'Melāmī' revolts. With Çandarlı İbrahim Paşa's succeeding Bayezid Paşa as Grand Vezir in late 825/late 1422 (? – more likely 824/1421), however, Molla Fenârî enjoyed four years of enormous influence in the state. A third revolt by Düzme Mustafa in 829/1425–6 led to the replacement of İbrahim Paşa as Grand Vezir by Molla Fenârî's enemy, Hacı İvaz Paşa, as a result of which Molla Fenârî and his elder son, Mehmed Şah, were forced to retire from public life. As the result of lengthy investigations into the Düzme Mustafa revolt, Mehmed Şah was implicated in that affair; and, Hüsameddin relates, 'Molla Fenârî grieved greatly that at the end of the investigations, in the year 832, Mehmed Şah Efendi passed over the bridge of death (*cisr-i fenâ*) together with Candarlı-zade İbrahim Paşa and the Grand Vezir Hacı İvaz Paşa.'[83] His authority for the date is the chronological list in Nuruosmaniye 3080, one of the two reproduced by Ménage, the base date of which Hüsameddin takes to be 857 rather than 858.

Having thus concluded that it is Mehmed Şah, not his father, to whom the list entry corresponding to the year 832 (833 ?) refers, Hüsameddin mentions the pilgrimage in 833 and then proceeds to try to invalidate the evidence of the biographical sources about Molla Fenârî's death date by saying that Ibn Ḥajar dates his return to Rum, not his death, in Rajab 834 and that Ibn

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102–3—Ünver names 'Mehmet bin Mehmet Hamzatül Fenari' as the author of one of the notations (*şerh*) (Ünver, *Fatih, külliyesi*, plates, p. 58). Examination of the signature shows the author to be Yusuf bin Mehmed bin Hamza el-Fenârî (Yusuf Bâlî) rather than Mehmed, however, so that the signature is of no assistance in the present matter.

[82] Hüsameddin, 'Molla Fenârî', b, 150–6.

[83] Hüsameddin (op. cit., 152) refers to a letter from Molla Fenârî to Murad II which apparently states or implies that they were all killed by the *hançer-i siyaset*, 'the dagger of punishment'. Hüsameddin says that a copy of the letter is in his possession and will be published 'if necessary' (?).

Taghrībirdī gives that date for his departure on the pilgrimage. The only manuscript of the latter author available for this present study says simply that Molla Fenârî went on the pilgrimage by way of Damascus in 833 and mentions neither his return nor his death. Presuming Hüsameddin to have read his manuscript accurately, therefore, one would have to consult further manuscripts to discover what Ibn Taghrībirdī actually says. That Hüsameddin, perhaps unluckily, has wholly misrepresented Ibn Ḥajar is incontrovertible, however. Not only is the passage which Hüsameddin quotes taken from the obituary section for the year 834, but where Hüsameddin's text apparently has *wa raja'a ilā bilādihi fī Rajab sana 834* ('and he returned to his own land in Rajab of the year 834'), every other one of the numerous manuscripts available, whether directly or indirectly through published texts or secondary sources, has *wa (fa-) raja'a fa-māta bi-bilādihi fī shahri Rajab* ('and he returned and died in his own land in the month of Rajab').[84] There can be no doubt, therefore, that whether they are correct or not, Ibn Ḥajar and the sources which follow him believe that Molla Fenârî died in Rajab 834.

Hüsameddin continues that on Molla Fenârî's return from the pilgrimage his son, Yusuf Bâlî, was given the kadılık of Bursa in 834, essentially as a compliment to Molla Fenârî, while the latter retired to a life devoted to worship. He was nevertheless much sought after by the people, his signature on documents, for example, being regarded as a good-luck charm. Hüsameddin quotes one such signature, from a *vakfiye* for which he gives the date mid-Rabī' II 838/mid-November 1434, the signature being in the form Mehmed b. Hamza b. Mehmed el-Fenârî;[85] and he not unnaturally concludes that Molla Fenârî must still have been alive at that date. He then quotes the entry corresponding to the year 839 (838 according to Hüsameddin) from the chronological list in Nuruosmaniye 3080 concerning the death of 'sulṭān al-'ulemā Muḥammad Shāh Pasha' and concludes that the person concerned is in fact Molla Fenârî himself and not his son, thus arriving at 838/1434–5 as the correct death date for Molla Fenârî.

Both in a general way and on the specific matter of Molla Fenârî's death there is much that is questionable in Hüsameddin's account. It is generally accepted, for example, that the Düzme Mustafa who opposed both Mehmed I and Murad II was executed in 825/1422, though there is, admittedly, a story that he made good his escape to Kefe;[86] and it is likewise generally held that İbrahim Paşa held the office of Grand Vezir uninterruptedly from

[84] Hüsameddin, op. cit., 153, and above, notes 5, 76.

[85] Hüsameddin (op. cit., 155) actually gives 837 in the paragraph introducing the signature, but references in the following paragraph suggest that he means 838. The signature, as given by Hüsameddin, reads:

القمس الواقف عنى امضاء ما وقفه ابتغاء لمرضاة الله معتصمًا بحبل الله وحسن توفيق الاله وانا الفقير إلى الملك البارى محمد بن حيزه بن محمد الفنارى عامله بلطفه العام السارى

[86] See Halil İnalcık, 'Murad II' in *İA*, viii, 600b; Uzunçarşılı, *OT*, i², 387–8.

his appointment in 824/1421 (?) until his death in 832/1429.[87] There appears, moreover, to be nothing to support Hüsameddin's account of the circumstances of the death of 'Mehmed Şah', together with Hacı İvaz and İbrahim Paşa, in 832 beyond the purported letter from Molla Fenârî to Murad II which Hüsameddin mentions but neither quotes nor identifies in such a manner as to make it accessible.[88] On the question of Molla Fenârî's death date, it has already been shown that Hüsameddin's reading of the Arabic sources is untenable and that it is beyond doubt that Molla Fenârî's death is recorded in the earliest biographical source, Ibn Ḥajar, as having occurred in Rajab 834.

Hüsameddin likewise largely ignores the difficulties posed to his argument by the actual names given in the chronological list he uses, namely 'Shams al-Dīn sulṭān al-'ulemā Fenārī-oğlu' in the entry corresponding to 833 and 'sulṭān al-'ulemā Muḥammad Shāh Pasha' in that corresponding to 839. The only even superficially attractive argument from the names in favour of his view is the implicit one that 'Fenārī-oğlu' is used in the former case but not in the latter. It is clear, however, that Molla Fenârî was widely known as 'Fenārī-oğlu', at least in its Arabic form, since not only does Ibn Ḥajar refer to him as 'Ibn al-Fenārī' but Molla Fenârî himself does, in the *ḳaṣīda* addressed to Şeyh Abdüllâtif.[89] Hüsameddin's argument, moreover, ignores the facts that Shams al-Dīn is known to have been part of Molla Fenârî's name but not, so far as can be discovered, of that of his son and that the son was regularly referred to as Mehmed Şah whereas it is not known that Molla Fenârî ever was. It is difficult, therefore, to avoid the conclusion that the compilers of the chronological lists believed, rightly or wrongly, that the father died in 833, the son in 839.

Much of Hüsameddin's argument on the question of Molla Fenârî's death date thus falls down on close examination, but there does remain one compelling piece of evidence for his conclusion, namely the document apparently bearing Molla Fenârî's signature and dated Rabī' II 838/November 1434: in a real sense all else depends on this. The possibilities of error at every stage in the handling of this sort of document have already been alluded to a number of times, and one would therefore need to subject

[87] Danişmend, i, 427; Uzunçarşılı, *OT*, i², 558; Ménage, 'Djandarlī' in *EI*².

[88] See above, n. 83.

[89] See above, n. 67. It is perhaps worth noting that the MS. of Neşrî designated *Mn* in Ménage (see above, n. 80) follows the even earlier *Mx* in noting Molla Fenârî's death under both 832 and 838; but where in *Mx*, 162, the name is given as 'Shams al-'ulemā Shams al-Dīn Fenārī-oğlu' in the entry for 832, *Mn*, 239, gives 'Shams al-'ulemā Shams al-Dīn Abu 'l-Fenārī (*Mx*, 164, gives 'Mevlānā Shams al-Dīn Fenārī' in the (marginal) entry for 838, while *Mn*, 242, gives 'Mevlānā Fenārī'). Unless *Mn*'s 'Abu 'l-Fenārī' is simply a copyist's error, it seems not impossible that it represents an attempt by the copyist to clear up the confusion of the double entry by indicating that the father died in 832, the son in 838. Such an explanation does not, of course, cover the entry for Mehmed Şah under 839 unless it is to be supposed that three generations are involved: 'Abu 'l-Fenārī' (*Mn*, 239); 'Mevlānā Fenārī' (*Mn*, 242); and 'Fenārī-oğlu' (*Mn*, 242–3).

the document to the most rigorous examination. Should such an examination show beyond doubt that the signature and the date are correctly reported, genuine and unquestionably related, one could obviously reach no other conclusion than that Molla Fenârî was indeed still alive in 838/1434. It needs to be emphasized, however, that such a conclusion would be in despite of the earliest biographical sources, the author of one of which was contemporary in time, if distant in space, and also, as far as one can judge, of the chronological lists and would therefore constitute important evidence of the limitations of these source materials.

Molla Yegân

Concerning the successor, as Müfti, to Molla Fenârî, there is disagreement among Turkish scholars. Despite explicit statements in the earliest authorities that Molla Shams al-Dîn Muḥammad b. Armaghân, known as Molla Yegân, followed Molla Fenârî, Müstakimzade, the formulator of the prevailing Turkish tradition, rejects these statements and names Molla Fakhr al-Dîn al-'Ajamî (Fahreddin Acemî) as Molla Fenârî's successor. The two main sources of later times, Rifat Efendi and the *İlmiye salnamesi*, have simply ignored Molla Yegân altogether. Only Danişmend, among modern authors, has given weight to the statements of the early sources and has inserted Molla Yegân's name in his list of Müftis.[90]

Müstakimzade's argument against the Müftilik of Molla Yegân occurs at the end of his article on Molla Fenârî.[91] He points out first that those who are aware of the finer points of history will know that in former days (or 'the earliest days': *sevâbık-i üvelde*) the meticulous ulema (*ulema-i muhakkikîn*) were authorized to give fetvas individually according to the requirement of a particular time. He says that it is recorded in the *Katā'ib*[92] that on the death of Molla Fenârî, Molla Yegân was authorized to give fetvas in the time of Murad II; but that since he did not actually rise to the office of Müfti—the actual words used are 'the rank of the glorious office of fetva', fetva being used here, as often, to indicate the Müftilik—he will not be singled out and accorded special mention.

The burden of Müstakimzade's argument, then, is that Molla Yegân was *a* müfti but not *the* Müfti, that he, like any other *'ālim*, had the power of *iftā'* and might give fetvas when the need arose, but that he did not attain the office of Müfti. The fact that the power of *iftā'* was not confined to the Müfti

[90] Danişmend, i, 433. See also the brief and inaccurate mention in Altunsu, XXXIX–XL (also p. 4, n. 1).

[91] Müstakimzade, f. 3a. Süleymaniye–Hafid Efendi 241, f. 4a, is the slightly better text at this point.

[92] *Katā'ib*, f. 330b (in the biography of Molla Fenârî), where the wording is very similar to Taş (as below, n. 93). The statement is repeated in the biography of Molla Yegân (ff. 338a–b), with the addition of *wa 'l-ṣadāra* (? – the kazaskerlik?) after *al-fatwā* and the omission of *ba'da 'l-Mawlā* ... (though these words do occur in V, f. 227b).

alone is of some importance in assessing the nature of the Müftilik in general and will therefore be dealt with in greater detail further on; suffice it to say for the moment that Müstakimzade's argument is disappointing in its lack of development and of positive evidence in support of it and that, in the terms in which it is stated and in view of the material he seems to have used in compiling his book, his argument might equally well apply to Molla Fenârî. He is, then, perhaps less guilty of apparent error than of apparent inconsistency.

The sole justification for Müstakimzade's argument as it stands appears to be that Taşköprüzade does not in fact use either the term *muftī fi 'l-mamlakat al-'Uthmāniyya*, as in the case of Molla Fenârî, or simply the term müfti, as in the case of Fahreddin Acemî, saying rather that 'the headship of teaching and of fetva and the office of the kadılık fell ultimately to [Molla Yegân] after Molla Shams al-Dīn al-Fenārī'. While the use of the term *riyāsat ... al-fatwā* is admittedly unusual, its meaning seems clear enough; and the statement that Molla Yegân succeeded Molla Fenârî in this function would seem to indicate that Taşköprüzade intends the same function by the terms *muftī fi 'l-mamlakat al-'Uthmāniyya* and *riyāsat ... al-fatwā*.[93]

In comparison with the amount of information given about Molla Fenârî, little is given in the *Shaḳā'iḳ* article about Molla Yegân.[94] Only the barest biographical outline is sketched, only one anecdote is related about him, and no information is recorded about any *evkaf* he may have endowed or any works he may have written. He studied first under a scholar of Aydın, whose name Taşköprüzade confesses to have been told by his father but to have forgotten, then under Molla Fenârî. Having taught in certain of the medreses of Bursa, he succeeded Molla Fenârî in the three positions which that scholar had held, presumably on Molla Fenârî's death in Rajab 834/March–April 1431.[95] At some later date he abandoned all his offices and journeyed to the Hijaz (which journey both Mecdî and el-Kefevî have taken to be for the purpose of going on the pilgrimage); after his return he did not again hold any office.

[93] Taşköprüzade's actual words are:

ثم انتهت اليه رياسة الدرس والفتوى ومنصب القضاء بعد المولى شمس الدين الفناری

(i, 138–9). See also Mecdî, 99. Some special weight may, perhaps, be given to Taşköprüzade's statement on this subject since his grandfather studied under Molla Yegân in the period after the death of Molla Fenârî, although Taşköprüzade admittedly does not attribute the above statement about Molla Yegân to his grandfather as he does the one about Molla Fenârî (see above, n. 3). It might also be noted that in the list of the ulema of Mehmed II's time in the Istanbul edition of Âşıkpaşazade it is stated that 'Molla Yegân became Müfti of the age (*müfti-i zaman*)' (Apz/Ali Bey, 203); but Giese's superior edition of the same work has simply 'Molla Yegan (يگن) came to the fore (*zahir oldu*)' (Apz/Giese, 200).

[94] Taş, i, 138–40; Mecdî, 99–100. See also the biographies in the *Katā'ib*, ff. 338a–b; Baldırzade, f. 88b; and İsmail Beliğ, 252–3, to which reference will be made below.

[95] Cf. below, n. 104.

Such is the information given by Taşköprüzade in his article on Molla Yegân, to which Mecdî adds nothing. el-Kefevî does, however, add a few facts worthy of note. He makes explicit what is perhaps implicit in Taşköprüzade, namely that Molla Yegân was from the province of Aydın,[96] and adds to the sentence about his becoming müderris at certain medreses in Bursa the fact that this was through the agency (*bi-tawjīh*) of Molla Fenârî. On the evidence of the one anecdote related by Taşköprüzade, and repeated by el-Kefevî, the closeness thus implied between Molla Yegân and Molla Fenârî seems not to have lasted, however. The latter wished to marry Molla Yegân to his daughter, but Molla Yegân refused on the grounds that he was already betrothed to the daughter of his teacher in Aydın. The Fenârî clan seems not to have forgiven or forgotten this slight, for Molla Fenârî's sons later challenged a decision given by Molla Yegân as kadı of Bursa and caused him to be examined by a *majlis* (*meclis*) of the ulema. In the examination, however, Molla Yegân confounded his critics and made his judgment stick.

el-Kefevî also gives some information about Molla Yegân's death, a vexed subject on which Taşköprüzade and Mecdî have nothing to say, namely that he died in İznik and was buried there in the early part (*awā'il*) of the reign of Mehmed II. There is some doubt about the circumstances of Molla Yegân's death, to which reference will be made in due course, but it may be remarked here that while el-Kefevî is possibly right at least about the rough date of Molla Yegân's death, the slightest suspicion attaches to the basis for his statement by reason of the fact that his words (if not their order) are practically identical with Taşköprüzade's statement about the death of Molla Tāj al Dīn Ibrāhīm, known as Khaṭīb-zāde (Hatibzade):[97] Hatibzade and Molla Yegân are associated in an anecdote related by Taşköprüzade in the biography of the former but included by el-Kefevî in the biography of Molla Yegân. The doubts arise not from any ambiguity about whom el-Kefevî intends the statement to apply to, since it clearly relates to Molla Yegân, but simply from the suspiciously close coincidence of the circumstances of, and the wording of the statements about, the deaths of the two men. It may be added, moreover, that this suspicion is deepened by the fact that the historians of Bursa, Baldırzade and İsmail Beliğ, locate Molla Yegân's burial place quite precisely in Bursa,[98] not İznik; and their evidence, if not, perhaps, of such a nature as to be decisive, is yet very telling.

[96] According to the historians of Bursa, Baldırzade and İsmail Beliğ, Molla Yegân was of the Akça Koyunlu *jamā'a* (*cemaat*) of Aydın.

[97] Taş, i, 156 (Mecdî, 115). For this Hatibzade's son, also known as Hatibzade, see below, pp. 183–5.

[98] Baldırzade says that Molla Yegân is buried in the vicinity of the medrese known by its connection (*intima*) with him and situated in the vicinity of the *'imāret* (*imaret*) of

Scattered statements in the biographies of other scholars in Taşköprüzade show Molla Yegân to have been active in teaching in the years following 1430, although, interestingly enough, the medrese at which he taught is never named. Taşköprüzade's grandfather, for example, studied under Molla Yegân, probably at some time after 839/1435–6, and it was Molla Yegân who recommended him for the post at Taşköprü.[99] By far the most useful evidence from the standpoint of fixing the events in Molla Yegân's life, however, comes from his involvement with Molla Gürânî.[100] According to Taşköprüzade, Molla Yegân, while on his journey to the Hijaz, met Molla Gürânî in Cairo and, observing his excellence, induced him to return with him to Rum. Molla Yegân then presented Molla Gürânî to Sultan Murad II as a 'gift' on his return. Ahmed Ateş, in his article 'Molla Gürânî' in *İA*, uses the account of the Egyptian scholar al-Sakhāwī (d. 902/1497) to show that Molla Gürânî was, in fact, banished from Cairo to Damascus in the year 844/1440–1 because he insulted a descendant of Abū Ḥanīfa, a certain Ḥamīd al-Dīn al-Nu'mānī, and that later, while attempting to go on the pilgrimage, he was caught and sent beyond the Euphrates.[101] Ateş suggests that Molla Yegân thus met Molla Gürânî not in Egypt but perhaps in Aleppo while returning from the pilgrimage and that the story about their meeting in Cairo was concocted in order to make Molla Yegân's '*ḥajj* gift' more desirable.

al-Sakhāwī, quoting al-Maḳrīzī, dates both Molla Gürânî's banishment and his abortive pilgrimage in the year 844/1440–1 (8 Dhu 'l-Ḥijja 844 = 30 April 1441). Ibn Taghrībirdī gives an even more specific date for the quarrel between Ḥamīd al-Dīn and Molla Gürânî, namely Saturday 2 Jumādā II 844/Saturday 29 October 1440:[102] the banishment of Molla Gürânî doubtless followed hard on the quarrel. If one accepts the story of Molla Yegân's

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Sultan Yıldırım Han (Bayezid I). İsmail Beliğ is even more specific, writing that he is buried in the graveyard (reading *ḥaẓīre* for *khaṭīre*) of the *mu'allimkhāne* (*muallimhane*) which he built in the vicinity of his medrese (which is then described as in Baldırzade). Evliyâ Çelebi (ii, 17) lists Molla Yegân's medrese, but according to A. Memduh Turgut Koyunluoğlu (*İznik ve Bursa tarihi*, Bursa, 1935, 155), his grave cannot be found. See also Baltacı, *O. Med.*, 315–17.

[99] Taş, i, 188–9; Mecdî, 139. The date may be tentatively fixed by the fact that immediately before studying under Molla Yegân, Taşköprüzade's grandfather studied under Molla Yusuf Bâlî, the son of Molla Fenârî, at the medrese of Mehmed I (the Sultan or Sultaniye medrese) in Bursa. Yusuf Bâlî is said to have succeeded to that medrese on the death of his elder brother, Mehmed Şah (Taş, i, 97; Mecdî, 57), the probable date for whose death is 839/1435–6. See above pp. 94–7 and also p. 4.

[100] Taş, i, 143–51; Mecdî, 102–11; and below, pp. 166 et sqq.

[101] al-Sakhāwī, *al-Ḍaw' al-lāmi'*, i, 241–3, and below, Chapter IV, n. 112 and pp. 167–8.

[102] Ibn Taghrībirdī, *al-Nujūm*, vii/2, 114–15.

bringing Molla Gürânî to the Ottoman court—and there seems no reason not to—then on the basis of what appears to be the fairly firm evidence for this part of Molla Gürânî's career, Molla Yegân's return from his journey cannot be dated earlier than 845/1441–2; and on the reasonable assumption that the purpose of Molla Yegân's journey was to make the pilgrimage, it seems entirely likely that it was in the year 844/1440–1, the same year that Molla Gürânî made his abortive pilgrimage, that Molla Yegân also performed the *ḥajj* and that the two met somewhere after that pilgrimage, though clear information about the actual time and place of their meeting is entirely lacking. Whether Molla Yegân's abandonment of his offices—apparently linked in Taşköprüzade's account to the journey—can also be dated to 844 is perhaps more doubtful. That his resignation and pilgrimage cannot have occurred much later than 844 is indicated by information given by Taşköprüzade concerning Molla Fenârî's son, Yusuf Bâlî, namely that he became kadı of Bursa—no date is given for his appointment—and died as kadı in 846/1442–3.[103] There is no evidence, however, to show that it was not until 844 that Molla Yegân gave up his offices, that he did not, for example, do so some years earlier and either live in retirement in Bursa or go on an extended visit to the Hijaz lasting some years. Though İsmail Beliğ's evidence is not perhaps the most reliable, the facts which he gives about the holders of the kadılık of Bursa in the period, facts which are at least consistent, if not necessarily accurate, indicate that Molla Yegân may indeed have left office a few years earlier than 844: according to İsmail Beliğ, Yusuf Bâlî succeeded Molla Yegân in the kadılık in 842/1438–9, himself being succeeded at the Sultan medrese by Molla Yegân's son, Şah Mehmed (or Mehmed Şah), who later also succeeded him as kadı in 846/1442–3.[104]

While there seems to be no reason to doubt the *Shaḳā'iḳ* account to this point in Molla Yegân's career, a question is raised about Taşköprüzade's statement that he did not again hold office by a note of Molla Yegân's (the only example I have found of his signature) appearing on a page of the *vakfiye*, dated 839/1435–6, of İsa Bey, the son of Bayezid Paşa, containing the signatures of a number of notable scholars of the fifteenth century: the page, which has been reproduced in facsimile by Ünver,[105] seems indeed almost to have become an autograph book for leading scholars of the period.

[103] Taş, i, 97; Mecdî, 57–8. For the date of death see also Neşrî: *Mx*, 171; *Mn*, 250; Ank, ii, 644.

[104] İsmail Beliğ, 245, 254. As noted above (p. 96), Hüsameddin claims that Yusuf Bâlî was appointed to the kadılık in 834 ('Molla Fenârî', b, 154) and mentions in another connection (ibid., 152) that signatures are preserved showing him to be kadı of Bursa (*kadısı*, though omitted, is presumably intended) in 834 and kazasker in 841. Once again, the signatures themselves, and the documents on which they appear, would require careful examination before Hüsameddin's statements could be preferred to a fairly consistent web of information built up from a number of statements in a number of biographies; but his evidence is not, of course, to be rejected out of hand.

[105] Ünver, *Fatih, külliyesi*, plates, p. 58.

These notations, or *şerh*, are themselves of interest, of course, but their usefulness for present purposes is vitiated by two factors. The first, having to do with the very nature of the notations, is that some of them have certainly been added at a later date. Molla Gürânî's *şerh* as kazasker (an enlargement is given on p. 50 of the plates in Ünver), for example, cannot have been added before 845, when he first came to the Ottoman lands, and was almost certainly added after 855, when he held the kazaskerlik probably for the first and only time (cf. below, pp. 169–71), so that one cannot be certain of the date when, or the circumstances in which, any of them was added. The second, having to do only with the reproduction of the page in Ünver's book, is that it is necessarily small-scale, so that a number of the *şerh*, including several of the potentially most interesting ones, have proved to be unreadable. The enlargement of Molla Gürânî's *şerh* (p. 50) includes the last two lines—the signature, in fact—of a seven-line *şerh* by Molla Yegân, who signs himself 'Muḥammad [bin ?] Armaghān bin Khalīl al-Ḥanafī, *al-ḳāḍī bi-dār al-naṣr Bursa* ...'. The five lines above the signature, which appear on the facsimile of the whole page (p. 58), have defied attempts to decipher them, but Ünver, beneath the facsimile on p. 50, adds what is apparently a summary of these lines: *Üstte Fatih'in okutulması için bu zatı tavsiye eden Molla Yegân yazısı vardır*, that is, 'Above is a note of Molla Yegân's recommending this person [presumably Molla Gürânî] as Fatih's Hoca.' Why such a note should appear on this sort of document is not altogether clear, but if the above interpretation of Ünver's note is correct, and if his reading of Molla Yegân's *şerh* is accurate, it would appear that the note could not have been written before 845. It would therefore follow that unless Molla Yegân were using the title though in fact an ex-kadı, he must have become kadı again in the years after returning with Molla Gürânî. Before making more of this, however, one would need to see the original page to ascertain exactly what Molla Yegân says in his note.

Uncertainty extends also to the question of Molla Yegân's death date, about which a wide divergence of opinion has grown up amongst the various sources, who give dates ranging from 840/1436–7 to 878/1473–4. It may be said at once that the earlier date, adopted by the *Sicill-i Osmanî*, the editor of the Istanbul edition of Âşıkpaşazade and Danişmend,[106] may safely be ruled out, not only through the evidence of Molla Yegân's involvement with Molla Gürânî but also on the basis of an anecdote about him related in the tenth volume of the history by Kemalpaşazade (d. 940/1534). The part of the volume in question is principally concerned with Süleyman's Mohács campaign of 1526, but the anecdote occurs in the midst of a digression concerning Mehmed II's siege of Belgrade (1456) and refers to the still earlier siege of Constantinople (1453). When the latter siege had ended successfully, Molla Yegân came to Mehmed II to congratulate him and remarked that his prayers had continually been with him. Mehmed II,

[106] *SO*, iv, 102; Apz/Ali Bey, 203, n. 2; Danişmend, i, 433.

however, angered because Molla Yegân had been an active and very vocal opponent of the siege, retorted that it was his sword, not Molla Yegân's prayers, which had achieved the victory.[107] There is no reason to doubt the authenticity of the anecdote, which Kemalpaşazade relates from an earlier, unidentified historian who had heard it from Mehmed II himself; and it would seem to establish conclusively that Molla Yegân was still alive in 857/1453. The contemporary historians Âşıkpaşazade and Neşrî place him firmly amongst the ulema of Mehmed II, both saying that 'he came to the fore' (*zahir oldu*) in his sultanate.[108] Neşrî qualifies this with 'in the beginning of [Mehmed II's] sultanate' but joins Molla Yegân with Molla Hüsrev (d. 885/1480–1), Molla Zeyrek (d. 879/1474–5 ?)[109] and Hocazade (d. 893/1488) in the sentence so that the possible inference that he died earlier rather than later in Mehmed II's reign is rendered doubtful at best. el-Kefevî, as has been noted, writes that Molla Yegân died early in the reign of Mehmed II; but, as has also been noted, some doubt attaches to his basis for making this statement: it is therefore difficult to know how much weight to give to his evidence. Baldırzade and İsmail Beliğ, in addition to giving information about Molla Yegân's burial place, say that he died in 878/1473–4, for which date there appears to be no firm evidence, though equally there is nothing to show it to be improbable. In sum, then, one can say little more on the basis of the scanty information available than that Molla Yegân appears to have abandoned his official posts by at least 844/1440–1; to have returned from his journey to the Hijaz, in company with Molla Gürânî, whom he presented at the Ottoman court, not earlier than after the pilgrimage of 844/1441 but very possibly not much later; if not to have continued to be a figure of some importance in the state until at least 857/1453, to have re-emerged as such then, though without, apparently, holding any official post; and to have died at some time after that date, perhaps in 878/1473–4.

[107] Pavet de Courteille, *Histoire de la Campagne de Mohacz, par Kemal Pacha Zadeh*, Paris, 1859, 111–13 (translation), 117–19 (text). The point of the anecdote is that Mehmed II later tried to get the blessing of a holy man for his campaign against Belgrade, only to have his words to Molla Yegân hurled back at him, as a result of which the campaign ended badly. I am grateful to Professor Ménage for drawing my attention to this reference.

[108] Apz/Giese, 200; Neşrî, *Mx*, 232, *Mn*, 325 (not present in the Ankara edition). Taşköprüzade and Mecdî place him amongst the ulema of Murad II.

[109] See Taş, i, 193–6; Mecdî, 142–5. Neither mentions a death date (nor does İsmail Beliğ, 270–2), and that given is taken from the not very reliable *SO*, iv, 104. Cf. *OM*, i, 319–20, where the date 912/1506–7 is given for his death. This would seem to be called into question by the statement in the *Shaḳā'iḳ* biography of his son, Molla Rukn al-Dīn (Zeyrekzade: Taş, i, 467–9; Mecdî, 326) that Molla Zeyrek died when the son was small, yet the son is said to have received several medrese appointments from Mehmed II. Ünver (*Notları*, 70) gives 903/1507 [*sic*] for Molla Zeyrek's death, apparently citing the *Mir'āt al-kā'ināt* of Nişancızade Mehmed Paşa (d. 1031/1621–2) and Mecdî. The published texts of neither the *Mir'āt* (2 vols., Istanbul, 1290/1873, ii, 403) nor Mecdî appear to give this (or any) date, however; and the argument advanced above in regard to the date in *OM* would in any case apply to this as well.

Fahreddin Acemî

As noted above, Turkish tradition has rejected the Müftilik of Molla Yegân and has named Molla Fakhr al-Dīn al-ʿAjamī (Fahreddin Acemî) as Molla Fenârî's successor as Müfti. It has been suggested above that, in view of the clear statement in the *Shaḳā'iḳ* and the unsatisfactory nature of Müstakimzade's argument, Turkish tradition has been guilty at least of inconsistency, if not of error, in doing so. Little help for either view may be found in the accounts of the life of Fahreddin Acemî in the early sources, however, for particularly in regard to the critical period after the death of Molla Fenârî they give little information. The later authors duly record 834/1431 as the date of Fahreddin Acemî's becoming Müfti,[110] but they are forced to do so by the logic of their position and seem not to depend on any statement in the early sources.

Very little information is given in the *Shaḳā'iḳ* about the life of Fahreddin Acemî, and very little more is to be found in the other biographical sources.[111] He studied in his own land 'under the ulema of his time' and is said to have studied under Seyyid Şerif (d. 816/1413–14). He then came to the Ottoman domains, an event which Âşıkpaşazade and Neşrî assign to the reign of Mehmed I (816–24/1413–21).[112] el-Kefevî likewise says that he came in the reign of Mehmed I and adds 'during the decade of the 820s', which would mean that Fahreddin Acemî arrived in the early 820s. That he was in Bursa by this time would seem to be borne out by his association with Molla Fenârî's son, Mehmed Şah, whose *muid* he became at the medrese of Mehmed I (the Sultan medrese) in Bursa. According to the *Shaḳā'iḳ* biography of Mehmed Şah, the latter was appointed to that medrese at the age of eighteen (Mecdî gives seventeen); and it is clear from that account that Fahreddin Acemî was his *muid* at the time of his first lesson.[113] el-Kefevî (followed by İsmail Beliğ) adds the statement that Mehmed Şah was the first müderris at the Sultan medrese, which fact, if correct, would allow one to place Mehmed Şah's appointment, and Fahreddin Acemî's association with him, in the early 820s, since the available information indicates that it was then that the medrese was built.[114]

[110] Müstakimzade, f. 3b (who says simply that he became Müfti on the death of Molla Fenârî); Rifat Efendi, 5; *İS*, 327; Altunsu, 4 (who notes that Molla Yegân is said to have become Müfti: cf. ibid., xxxix–xl).

[111] Taş, i, 120–2; Mecdî, 81–3; *Katā'ib*, ff. 338b–339a; Müstakimzade, ff. 3a–b.

[112] Apz/Giese, 200; Neşrî: *Mx*, 232; *Mn*, 324.

[113] Taş, i, 96–7; Mecdî, 56–7. See also Taş, i, 294; Mecdî, 209; *Katā'ib*, ff. 339a–b; İsmail Beliğ, 244–5. el-Kefevî seems somehow to have misread Taşköprüzade, writing that Mehmed Şah was appointed in 818 rather than at the age of 18.

[114] According to Uzunçarşılı, Mehmed I, in 817/1414–15, ordered the building of a mosque, an *imaret*, a medrese and a *türbe* in Bursa: the first (the Yeşil Cami) was completed in Dhu 'l-Ḥijja 822/December 1419–January 1420, the last in 824/1421

From another statement in Taşköprüzade's article on Fahreddin Acemî it appears that he also studied under, and was licensed in *ḥadīth* by, Burhaneddin Haydar Herevî.[115] Taşköprüzade writes that his own father was licensed in *ḥadīth* by Hocazade, Hocazade by Fahreddin Acemî, Fahreddin Acemî by Burhaneddin Haydar Herevî and Burhaneddin Haydar Herevî by Sa'd al-Dīn al-Taftāzānī: as Taşköprüzade was himself licensed by his father, this list provides an academic genealogy for him as well. Though Müstakimzade asserts that Fahreddin Acemî studied under al-Taftāzānī, this seems unlikely as the latter died in 792/1389–90, and one suspects that his statement derives either from a misreading of the genealogy or from a faulty genealogy.[116]

Where and when Fahreddin Acemî studied under Burhaneddin Haydar Herevî is not at all clear. The latter, a somewhat shadowy figure in the biographical sources, is chiefly noted in the history of the time for having authorized with a fetva the execution of Şeyh Bedreddin Simâvî in 823/1420 (?). In their discussion of this incident Âşıkpaşazade and Neşrî refer to 'Mevlânâ Haydar' as 'a *danişmend* newly come from Persia', so that he may well have arrived in the Ottoman lands at about the same time as Fahreddin Acemî.[117]

Next, according to Taşköprüzade and Mecdî, Fahreddin Acemî taught in certain medreses and then became Müfti in the time of Murad II with a salary of 30 akçe a day. Murad II, in fact, desired to increase this amount, but Fahreddin Acemî refused, saying that it was lawful to take from the treasury only what was sufficient to meet his needs.[118]

Müstakimzade alone of the biographers tries to identify the medreses at which Fahreddin Acemî taught, naming two: the Darülhadis of Mehmed Şah Fenârî, presumably a *vakıf* (though none of the standard biographical sources mentions that he made such a benefaction nor is any such medrese or darülhadis mentioned in Baltacı's *Osmanlı medreseleri*); and the Darülhadis of Murad II in Edirne. While Müstakimzade is probably right that

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('Mehmed I' in *İA*). No dates are given for the completion of the *imaret* and the medrese, but it seems reasonable to suppose that they were completed at about the same time as the others. Baltacı writes that Mehmed I 'caused [the] mosque and *imaret* to be built in Bursa in 820/1417–18, [the] medrese a year later, in 821/1418–19' (*O. Med.*, 491).

[115] Died 'in the decade of the thirties' in the ninth century, i.e. 1426–36 (Taş, i, 120; but Mecdî (p. 83) says that he died in the third decade of the ninth century, i.e. 1417–26; Sa'deddin (ii, 430) that he died in 830/1426–7; and Âli (v, 182) that he died at the age of 30).

[116] The genealogy is also given in Taşköprüzade's autobiography, where Mecdî in fact omits Burhaneddin Haydar Herevî (Taş, ii, 183; Mecdî, 525).

[117] Apz/Giese, 82; Neşrî: *Mz*, 146–7; Ank, ii, 546. See also Apz/Giese, 200; Neşrî: *Mz*, 232; *Mn*, 324, where Burhaneddin Haydar Herevî is listed with Fahreddin Acemî as one of those who came to the Ottoman lands in the reign of Mehmed I. For the date of Şeyh Bedreddin's execution, see above, n. 56.

[118] See Hezârfen's implied defence of scholars of his own time for failing to live up to the example thus set: Hezârfen/Anhegger, 389–90.

Fahreddin Acemî taught at Murad II's Darülhadis, as will be shown, his construction of events—that Fahreddin Acemî taught there and *then* became Müfti on the death of Molla Fenârî—is most unlikely since the Darülhadis of Murad II seems not to have been completed until 23 Sha'bān 838/24 March 1435.[119]

It seems likely that Fahreddin Acemî was indeed müderris at Murad II's Darülhadis, but the evidence on this point, which comes from the *Shaḳā'iḳ* biography of Molla 'Alā' al-Dīn 'Alī al-'Arabī (Molla Arab), is not altogether firm since Taşköprüzade and Mecdî appear to be at odds on the matter. The printed text of Taşköprüzade says that Molla Arab, having studied under Khiḍr Bey (Hızır Bey) at the Sultan medrese in Bursa, became his *muid* (*şāra mu'īdan lahu*) at the Darülhadis medrese in Edirne. The manuscript of Taşköprüzade omits the *lahu*, as, in effect, does Sa'deddin, who generally follows Taşköprüzade very closely, the result of which omission is to say simply that he became *muid* at the Darülhadis. el-Kefevî's text of Taşköprüzade clearly included the *lahu*, however, since he states unequivocally that Molla Arab became Hızır Bey's *muid* at the Darülhadis; and there is thus a good case that, despite the doubts introduced by the manuscript of Taşköprüzade and Sa'deddin, Taşköprüzade intended the *lahu*. Mecdî, however, states just as unequivocally that Molla Arab became Fahreddin Acemî's *muid* at the Darülhadis.[120] If it has proved impossible to find positive evidence in favour of Mecdî's claim, one can, perhaps, question what appears to be Taşköprüzade's on the grounds that no source for the life of Hızır Bey records that he ever taught at the Darülhadis, and, indeed, only el-Kefevî of the early sources even places him in Edirne, writing that he was appointed by Murad II to one of the Üç Şerefeli medreses (*al-madrasatayn al-mutajāwiratayn*) there in 855/1451.[121] It is only right to emphasize,

[119] Gökbilgin, *EPL*, 210–11, overtaken by idem, 'Tarihler', 91–2: cf. idem, 'Edirne' in *EI²*, ii, 685a. See also Baltacı, *O. Med.*, 586–7.

[120] Taş, i, 239; Sa'deddin, ii, 485; *Katā'ib*, f. 369b; Mecdî, 172.

[121] For Hızır Bey, see Taş, i, 151–5; Mecdî, 111–14; *Katā'ib*, ff. 353a–354b; Sa'deddin, ii, 449–52; Âli, v, 229–32. There are certain minor vexed points about el-Kefevî's statement—e.g. that Murad II died probably on 1 Muḥarram 855 and that only one of 'the two neighbouring medreses' had then been built (though this is an understandable anachronism)—but that Hızır Bey was in Edirne in late Ramaḍān 855/late October 1451 is indicated by a note to that effect in Hızır Bey's own hand in a book of his which had come into el-Kefevî's possession.

In what appears to be an intrusive passage in Taş (i, 153, from the first *thumma ḍamma ilayhi* to *ḳaḍā' Yanbolu*), an appointment to 'the new medrese, one of the two neighbouring medreses in Edirne' (this a definite anachronism) is mentioned. The passage does not occur in Taş MS., Mecdî or Sa'deddin (see also Taş/Rescher, 55), and only two of the seven or so facts mentioned there occur also in other sources, namely the appointment to the Üç Şerefeli (in el-Kefevî) and that to the kadılık of İnegöl (in el-Kefevî and Âli). There is nothing in the passage itself to link it definitely to Hızır Bey, and it is not at all clear that it belongs to his biography, or, if it does, what the source of the passage is. This passage, and indeed the whole question under discussion, may serve as examples pointing to the need for a critical edition of the *Shaḳā'iḳ*.

however, that negative evidence of this sort—the fact that an appointment is *not* mentioned—is not a wholly dependable guide when dealing with the *Shaḳā'iḳ* since it can by no means be relied upon to provide a complete account of a scholar's career.

The question of whether Fahreddin Acemî was teaching at the Darülhadis is not without importance, since if Mecdî's statement is correct, it would provide evidence of a certain continuity in one of the distinctive functions of the later Müftilik, from the time of Ali Cemâlî on, namely that the Müfti taught in an important imperial medrese (in the case of Ali Cemâlî and his successors, that of Bayezid II in Istanbul): it ought, of course, to be recalled in this connection that Molla Fenârî and Molla Yegân may well, while Müfti, have been teaching at the Manastır (Sultan Orhan) medrese in Bursa. Assuming Mecdî to be right, that Molla Arab was Fahreddin Acemî's *muid* at the Darülhadis, one would need to show further, of course, that Fahreddin Acemî was Müfti at the time of the association. At least a *terminus post quem* for Molla Arab's service as *muid* can be established from several scattered statements in the *Shaḳā'iḳ*: that before becoming a *muid*, Molla Arab studied under Hızır Bey while the latter was at the Sultan medrese in Bursa; that Hızır Bey was appointed to that medrese by Mehmed II; and that Hızır Bey recommended Hocazade to Murad II after Hocazade had served as his *muid* at the Sultan medrese.[122] From these statements it is possible to deduce that Hızır Bey must have been appointed to the Sultan medrese during the first sultanate of Mehmed II (848–50/1444–6) and that Molla Arab cannot therefore have begun his study with him, much less become anyone's *muid*, before the summer of 848/1444. In that same summer, however, occurred the incident involving the Ḥurūfīs, to be described shortly, in which Fahreddin Acemî is clearly shown to be acting as Müfti; and he must therefore have been Müfti at the time of Molla Arab's putative association with him.

Also of interest in the wider context of the Müfti's holding a teaching post, apart simply from the fact that Fahreddin Acemî may well have done so, is the identity of the medrese. At the time of Fahreddin Acemî's becoming Müfti—perhaps in 844/1440–1 on Molla Yegân's resigning his posts, but in any case not later than 848/1444—the Darülhadis would probably have been the one important medrese in Edirne founded by the reigning sultan, Murad II, since his other complex including a medrese, the Üç Şerefeli, though begun in 841/1438, was not completed until 851/1447.[123]

[122] Taş, i, 239, 152–3, 199; Mecdî, 172, 112, 146.

[123] Gökbilgin, *EPL*, 213–16: the dates pertain to the mosque, which, however, if the facts given about the Ḥurūfī incident are correct, would seem to have been in use in 848/1444. See also Baltacı, *O. Med.*, 450–1. Both the Darülhadis and the Üç Şerefeli medrese continued to be important in the system. The biographies in Atâ'î show them to have been generally at the *dâhil* level in the sixteenth century, while by Hibrî's time (mid-seventeenth century) the Darülhadis was classed as *altmışlı*, the two Üç Şerefeli medreses as *dâhil* (Hibrî, ff. 15a–b).

The Darülhadis would thus, arguably, have been the ranking medrese in Edirne at the time.

Two events in Fahreddin Acemî's long Müftilik have been recorded. The first, mentioned in the *Shaḳā'iḳ*, concerns a certain member of the sect of Ḥurūfīs who insinuated himself into Mehmed II's confidence. Concerned about his influence, and afraid to beard the sultan himself, 'the vezir Mahmud Paşa' consulted Fahreddin Acemî who, having heard for himself the Ḥurūfī's heretical words, denounced him in Mehmed II's presence. Going then to the Üç Şerefeli mosque, Fahreddin Acemî had the people summoned, ascended the *minbar* (*minber*), and 'exposed [the Ḥurūfīs'] vain beliefs, adjudged them guilty of unbelief and heresy, and gave judgment that the killing of them was incumbent and that such as aided in the slaying of them would be greatly rewarded'. The execution of the Ḥurūfī was duly carried out, Fahreddin Acemî himself taking an active part, and this was followed by the execution of all his companions.

Though Taşköprüzade's mention of 'the vezir Mahmud Paşa' has been taken by Müstakimzade and others to refer to the Grand Vezir Mahmud Paşa (Grand Vezir 858–72/1454–68, 877–8/1472–3) and the the event therefore associated with Mehmed II's second sultanate (after 855/1451), İnalcık, following Babinger, places this event in the troubled summer of 1444 (848), just after Murad II abdicated in favour of his son. The Mahmud Paşa concerned, he suggests, is thus not the Grand Vezir Mahmud Paşa, but rather Kassabzade Mahmud Bey, who had been Mehmed II's tutor when he went to Manisa in 1443 and who was a leading figure in the events of 1444.[124]

The other recorded event in which Fahreddin Acemî took part is the circumcision feast for Bayezid and Mustafa Çelebi, two of the sons of Mehmed II, which took place in Edirne in 861/1457. Part of the celebration of the feast consisted of a learned discussion in which passages were read from the Koran on which the assembled scholars gave *tafsīr*. Those named of the scholars present are: Fahreddin Acemî, on the sultan's right; Molla 'Alā'

The Halebî (often corrupted to 'Çelebi') medrese in Edirne, named after Molla Sirāj al-Dīn Muḥammad b. 'Umar al-Ḥalabī (Molla Halebî: Taş, i, 261–2; Mecdî, 187–8), is said by Mecdî (p. 188), though not by Taşköprüzade, to have been built by Murad II: cf. Gökbilgin, 'Tarihler', 94–5; Baltacı, *O. Med.*, 225. There is general agreement that Murad II appointed Molla Halebî to the medrese, which then came to be called after him, but Âşık Çelebi (f. 72a) says that the medrese was built by Bayezid I and known as the Kazancılar medrese until the time of Molla Halebî's association with it. For possible documentary support for Âşık Çelebi's claim that Bayezid I was the founder, see Gökbilgin, *EPL*, 181; there appears, however, to be nothing apart from Mecdî's statement to justify the claim that Murad II founded it.

It might be noted here that it is deducible from the biography of Taşköprüzade's grandfather that Fahreddin Acemî was probably teaching in Edirne in the late 830s or early 840s since Taşköprüzade's grandfather went on from studying with him to study with Yusuf Bâlî at the Sultan medrese in Bursa (Taş, i, 188; Mecdî, 139; and above, n. 99).

[124] İnalcık, *Fatih devri*, 37 (and n. 118); 55; 71, n. 8.

al-Dīn 'Alī Ṭūsī (Ali Tûsî), on the sultan's left; and Molla Shukr Allāh (Şükrüllah) and Molla Hızır Bey, facing the sultan.[125]

About the death date of Fahreddin Acemî there is again disagreement amongst the sources. Though neither Taşköprüzade nor Mecdî gives a death date in the article on Fahreddin Acemî, Mecdî mentions in his article on Molla 'Abd al-Karīm (Abdülkerim) that the latter was appointed Müfti in Constantinople in 870/1465–6 after Fahreddin Acemî.[126] It seems natural to assume that Mecdî means that Fahreddin Acemî died in 870, and some relatively early evidence for this date is found in two of the manuscripts of the *Anonymous Chronicle* (Uruc).[127] Müstakimzade, Rifat Efendi and the *İlmiye salnamesi*, however—all of which reject Mecdî's statement that Abdülkerim followed Fahreddin Acemî and place Molla Hüsrev next in the list of Müftis—give 865/1460–1 for Fahreddin Acemî's death.[128] Finally, a remarkably precise date is given by Babinger for his death, namely 20 December 1468 (4 Jumādā II 873). Unfortunately he gives no source for this statement, and it is not immediately apparent on what it is based.[129] As the

[125] For the details of the celebration, at which Âşıkpaşazade was himself present, see Apz/Giese, 139–41; Neşrî: *Mz*, 185–6; *Mn*, 267–8; Ank, ii, 724–6. Only three of the MSS. used by Giese (as well as Apz/Ali Bey, 148) name Hızır Bey. Neither author gives the offices of any of these men. Fahreddin Acemî must have been Müfti, and Ali Tûsî (d. 887/1482: Taş, i, 158–62; Mecdî, 117–20) was certainly a müderris, either at one of the eight medreses converted from churches after the conquest of Constantinople, which were precursors of the Sahn, or at the Üç Şerefeli medrese in Edirne (see below, pp. 134–5, 151–2, especially n. 73). Şükrüllah appears to have been living on a pension, in retirement in Bursa (the information in Taş, i, 155–6; Mecdî, 115, is very scanty: see Ç. N. Atsız, *Osmanlı tarihleri*, i, Istanbul, 1949, 39–40; Ménage, 'Historiography', 173; Babinger, *GOW*, 19–20, who gives his death date as 894 (1488–9)). Hızır Bey (d. 863/1459) was certainly kadı of Istanbul. Both this celebration and the Ḫurûfî incident are included by Hibrî in his account of the unusual (*garîb*) events which occurred in Edirne (Hibrî, ff. 88b–90a), but the only fact of interest he adds is to refine the date of the former to the spring (*bahar*) of 861 (and therefore of 1457): cf. the invitation to the celebration sent to the Doge of Venice, dated 17 March 1457 (20 Rabī' II 861), quoted in Babinger, *Mahomet II*, 180–1 .

[126] Mecdî, 177: see also *SO*, iv, 10. See below, pp. 125 et sqq., for Abdülkerim's Müftilik, the dating of which is one of the major problems arising in the study of the early Müftilik.

[127] Sadettin Buluç, *Untersuchungen über die altosmanische anonyme Chronik (Tarih-i âl-i Osmân) der Bibliothèque Nationale zu Paris, suppl. turc 1047, anc. fonds turc 99*, Breslau, 1938, 26. My thanks are due to Professor Ménage for drawing my attention to this reference. The death date is mentioned in Buluç's concordance as occurring in the two Paris MSS. (dated 974/1566 and 992/1584) but in none of the others with which he deals. See further V. L. Ménage, 'On the recensions of Uruj's "History of the Ottomans"', *BSOAS*, xxx (1967), especially pp. 316, 322. Among later works, *SO*, iv, 10, adopts the date 870 for Fahreddin Acemî's death.

[128] Müstakimzade, f. 3b; Rifat Efendi, 7; *İS*, 328. See also Danişmend, i, 433–4; Altunsu, 5.

[129] Babinger, *Mahomet II*, 327. Babinger's account is highly circumstantial: 'En novembre 1468 toute la campagne était terminée et vers la fin du mois Mehmed II fit son entrée à Stamboul, malgré la peste qui y sévissait. Le 20 décembre, le vieux mufti, le

question of his death date, and indeed the circumstances of his death, are intimately bound up with the vexed problem of the identity of his successor, further discussion of it may suitably be left to the following chapter. It may be noted here, however, that all the sources are agreed that he was buried in Edirne, Mecdî, in his *tezyil*, being the first to give the precise location of his grave, namely 'outside (*önünde*) the *miḥrāb* (*mihrab*) of the Darülhadis mosque in Edirne'.[130]

Conclusion

Having set forth the accepted Turkish tradition concerning the early Müftilik and having reviewed in some detail the lives of the first three Müftis, one may now pass on to a consideration in more general terms of the validity of the tradition and of such important problems as the reasons for the creation of the institution and the nature of the early Müftilik, problems which are either not dealt with at all by Turkish writers or are dealt with only in the vaguest terms. The paucity of available evidence concerning the foundation of the institution and the activities of the early Müftis means that one can hope to do no more than to draw reasonable inferences from the little evidence that does exist; and some of what can be said about these problems involves a projection backward from the activities of later Müftis and will therefore be considered in greater detail in later sections. Sufficient material has now been given, however, to justify making some comments about the nature of the early Müftilik and the possible reasons for its creation. In doing so, one must reiterate that, as mentioned at the beginning of the chapter, one is anticipating a conclusion that will be reached in the following chapter, namely that the 'Müstakimzade tradition', for all its faults, is perhaps marginally less unsatisfactory than other accounts of the origins of the Müftilik, though as has been, and will be, seen, there is very little in the way of solid evidence even for it.

Persan Fakhr-ed-dîn, mourut à Stamboul probablement victime de l'épidémie et fut enseveli à Andrinople; sa place fut prise par le mollah Khosrev, maître et conseiller du sultan.' The campaign referred to is that against Karaman as a result of which Konya was occupied and that emirate brought more or less firmly under Ottoman control. It is generally dated in 1468 (872–3: see, for example, İnalcık, 'Mehmed II' in *İA*, vii, 524b), but Danişmend (i, 306) and Uzunçarşılı, (*OT*, ii, 89–90, especially p. 90, n. 1: see further Halil Edhem, 'Karaman Oğulları hakkında vesaik-i mahkûke', *TOEM*, part 13, 834–6) date it two years earlier, in 871/1466, on the basis of numismatic evidence.

Peremeci (pp. 121, 125) also gives 873 (with the *milâdî* equivalent 1469) for Fahreddin Acemî's death and notes that his tombstone still exists. It is not at all clear from his account that the date derives from the stone, however, and it seems unlikely, in view of Peremeci's lack of preciseness, that Babinger's does. According to Peremeci, the stone does indicate that Fahreddin Acemî's true name was İbrahim Razi. See also Bedi N. Şehsuvaroğlu, 'Edirne Fatih Devri Eserlerine Kısa Bir Bakış ...', *Vakıflar Dergisi*, v (1962), 200.

[130] For a medrese founded by Fahreddin Acemî in Edirne, see Gökbilgin, 'Tarihler', 95; Baltacı, *O. Med.*, 564–5.

It has been shown above that the accepted Turkish tradition dates the beginning of the Müftilik in the time of Murad II (1421–51) and names Molla Fenârî as the first Müfti. There is, however, a tradition of an older Müftilik, advanced with some consistency, though no very great accuracy, by d'Ohsson and, among Turkish authors, by Ali Emiri Efendi in the short history of the Müftilik in the *İlmiye salnamesi*.[131] This tradition goes back to the earliest days of the Ottoman state, to Molla Edebâlî (d. 726/1326), Osman's father-in-law, and is based on statements in both the *Shaḳā'iḳ* and the *Katā'ib*. According to the former, Molla Edebâlî, a native of Karaman, came to the Ottoman lands and there won the complete confidence of Osman so that the latter 'used to refer to him problems in the şeriat and to consult with him in matters of government'. el-Kefevî is even more explicit: '[Molla Edebâlî], at the end of his life, entered the service of Sultan Osman Gazi, and he [Osman] appointed him müfti (*li-khidmat al-fatwā*). And he was the first müfti in the Ottoman state.'[132] el-Kefevî's statement that Molla Edebâlî was müfti is implicitly justified by a passage in Taşköprüzade concerning Edebâlî's student and son-in-law, Molla Tursun Fakih, who, 'after his [Edebâlî's] death, took his place in the giving of fetvas (*amr al-fatwā*) and the planning (*tadbīr*) of the affairs of government and the teaching of the sciences of the şeriat'.[133]

In so far as the functions performed by Molla Edebâlî and Tursun Fakih, apparently successively, may be characterized as an 'office'—from an institutional point of view, as it were—it seems not to have been continuous, however, at least on the evidence of the biographical sources. Taşköprüzade does not mention any successor to Tursun Fakih, nor does he seem to describe the activities of any other scholar of the relevant period in such a way as to suggest that he held the office of Müfti. Only d'Ohsson attempts to show it as continuous, saying that after the death of Tursun Fakih, 'Murad I gave his place [as Müfti of the capital] to Fahreddin Acemî, the kadı of Bursa, which was then the usual residence of the sultans. These first three Müftis of the capital, as well as their immediate successors, never had more than a priority of rank over those of the provinces.'[134] As has been shown above, however, Fahreddin Acemî was of the period of Murad II and Mehmed II, not of Murad I; and there is no record that he was ever kadı of Bursa. It is just possible that d'Ohsson means Molla Fenârî, whom he does not otherwise mention;[135] but even the earliest possible date for Molla

[131] d'Ohsson, iv, 497–8; *İS*, 304–20, especially pp. 315–17.

[132] Taş, i, 67 (Mecdî, 20); *Katā'ib*, ff. 282b–283a.

[133] Taş, i, 68–9 (Mecdî, 21). Tursun Fakih was one of the first Ottoman kadıs, if not indeed the first: see Apz/Giese, 20; Neşrî: *Mz*, 33; Ank, i, 108–10.

[134] d'Ohsson, iv, 498.

[135] Aside from the vague reference to Fahreddin Acemî's immediate successors, the next Müfti d'Ohsson names is Hızır Bey, whose claim to the Müftilik is extremely doubtful: see below, pp. 137 et sqq.

Fenârî's becoming Müfti, roughly 1380, is too late to allow for any possibility of his having succeeded Tursun Fakih.

If attempts to establish the continuity of an office of Müfti in this early period appear to break down, however, there can be no doubt either on the one hand of the existence both of müftis and of scholars who acted as müftis in individual instances or, on the other, of the importance of *iftā'* as an instrument of government. In addition to Molla Edebâlî and Tursun Fakih one may mention the reference in an imperial decree sent from Murad I to Hacı Evrenos Bey—unfortunately the document is of questionable authenticity—to one Elvan Fakih 'who has been appointed şeyhülislâm for Rumeli generally', to whom Evrenos Bey is adjured to show particular respect.[136] The *Shaḳā'iḳ*, moreover, includes mention of a certain number of scholars of the fourteenth and early fifteenth centuries who were known chiefly as müftis: for example, Molla Bahaeddin Ömer and the three following scholars, all listed under the ulema of the time of Bayezid I, about none of whom, however, is much more information given than that 'he was consulted in matters [involving] fetvas (*fī amr al-fatwā*) in his time' (Taşköprüzade) or 'he became müfti' (*müfti oldu*) (Mecdî);[137] and, indeed, in the case of these scholars it is simply not deducible in what way they were recognized as müftis, whether simply by popular acclaim or rather by some sort of official recognition. Hüsameddin claims that one Shujā' al-Dīn Ilyās Çelebi, Hoca to the sultan, had become (was?) a highly-regarded müfti in Edirne in 831/1427–8, 'historical proofs' which Hüsameddin has chanced upon describing him as *shaykh al-Islām wa 'l-muslimīn*.[138]

[136] Feridun, i, 88. The document is also quoted by Hezârfen (Hezârfen/Anhegger, 376–9). Anhegger (p. 376, n. 33) summarizes the argument about its authenticity and himself concludes that there are grounds for believing it authentic in substance, if not word for word. There appears to be no biography of Elvan Fakih in the *Shaḳā'iḳ*.

Akdağ cites this and one other early Ottoman use of the title şeyhülislâm (Akdağ, *Tarih*, ii, 62, n. 1), but the evidence thus cited is too slight, in the present author's view, to support his conclusion that 'the [Selcuk] practice of appointing a şeyhülislâm to every city was still continuing'. It is possible, however, that the uses he cites do in some way grow out of the earlier Selcuk usage (cf. above, Chapter II, n. 100). It should be noted that it is doubtful that Akdağ would regard the office of Müfti in the Ottoman empire as deriving from a Selcuk model, as he is at pains to point out the important differences between the Ottoman Şeyhülislâm and the Selcuk şeyhülislâms.

[137] Taş, i, 98; Mecdî, 59. Note might be made here of the lists of müftis during this early period advanced by Hezârfen (Hezârfen/Anhegger, 390) and Hüsameddin ('Molla Fenârî', b, 156). Some of these are mentioned in what follows, but in the case of such of the rest as can be identified, there appears to be no evidence that any of them could be termed the Müfti. Shaykh Muḥammad al-Jazarī, for example (d. 833/1429: Taş, i, 98–107; Mecdî, 59–62; M. Ben Cheneb, 'Ibn al-Djazarī' in *EI*[2]), who is mentioned by Hezârfen, was clearly highly qualified as a müfti since he had been licensed as such on three separate occasions in Egypt; but there appears to be no evidence that he acted in this capacity either officially or unofficially during his relatively short stay in the Ottoman lands (798–805/1396–1402).

[138] Hüsameddin, 'Molla Fenârî', b, 156. It is not clear whether Hüsameddin is arguing that the title had any official force or sanction.

One finds also both in the biographical dictionaries and in the chronicles instances of the use of *iftā'* in this early period. Sultan Orhan, for example, is reported to have asked Taceddin Kürdî for a fetva on the legality of breaking an agreement over booty made with one of his commanders,[139] while Murad I is shown just after his accession consulting the ulema on the question of whether, in the face of threats from the Anatolian rulers, troops collected for the purpose of the *ghazā'* (*gaza*) against the unbelievers in Rumeli might be used to meet the threat in Anadolu first and the *gaza* consequently delayed.[140] Reference has, of course, already been made to the fetva given by Burhaneddin Haydar Herevî sanctioning the execution of Şeyh Bedreddin in Mehmed I's reign: with respect to the general question of the nature of *iftā'* in the early state, it is worth remarking that no clue is given as to why Burhaneddin was selected beyond the fact that 'he was at the side of Sultan Mehmed' in Serez when Şeyh Bedreddin was brought.[141] That Burhaneddin Herevî may have had, or gained through this event, some official standing, however, is suggested by the reference to him in the *Shaḳā'iḳ* biography of Molla Hüsrev as 'müfti in the lands of Rum',[142] a more precise title than is otherwise encountered except in the case of Molla Fenârî. Too little is known about Burhaneddin Haydar Herevî to enable one to decide what is meant by the title, however, and there is no other evidence to indicate either that he held an official post or, if so, that it was anything other than an *ad hominem* appointment. Finally, that *iftā'* was in a general way an instrument of state policy, in this case one felt to have been used for ill, is indicated by one of the several criticisms made of Bayezid I's Grand Vezir Çandarlı Ali Paşa in the early histories. Âşıkpaşazade, having noted the marked increase in the number of *danişmend*s in Ali Paşa's time, writes: 'Those who came made the fetva [an instrument of] trickery and did away with piety (*anlar kim geldiler fetvayı hile ettiler takvayı götürdüler*).'[143]

It is thus clear that the practice of *iftā'* was not without importance from the earliest days of the state and that in Molla Edebâlî and Tursun Fakih—perhaps also in the elusive Elvan Fakih and others—there were men who performed much the same function as later Müftis; but so scanty and uncertain is the available information about this early period that one cannot confidently assert the existence, still less the continuity, of an officially designated post of Müfti. As we have seen, Turkish tradition has in any case

[139] Taş, i, 71–2; Mecdî, 28–9.

[140] Neşrî: *Mz*, 52; *Mn*, 59–60; Ank, i, 190.

[141] Apz/Giese, 82; Neşrî: *Mz*, 146–7; *Mn*, 218; Ank, ii, 546.

[142] Taş, i, 182: *al-muftī fi 'l-bilād al-Rūmiyya*; Mecdî, 135: *bilâd-i Rumiye'de müfti olan*. See also Sa'deddin, ii, 463.

[143] Apz/Giese, 63. There is considerable variation in the context and content of this particular passage in the early histories (cf. the Oxford and Cambridge MSS. of Uruj (Uruc) in F. Babinger (ed.), *Die frühosmanischen Jahrbücher des Urudsch*, Hanover, 1925, 29, 99 (the two MSS. differ significantly from one another here); *Anonymous*, 31), but Âşıkpaşazade's version seems fairly to catch the intention of all of them.

chosen to ignore this earlier tradition and to select the appointment of Molla Fenârî in the time of Murad II as the starting point of the official Müftilik. The evidence for this assumption seems in the end to be the fact that Taşköprüzade uses for the first time in relation to Molla Fenârî a distinctly official-sounding title which appears to encompass the entire Ottoman state, namely *müftî fi 'l-mamlakat al-'Uthmāniyya*; but it must be reiterated that there is no evidence in Taşköprüzade's account to suggest that this appointment occurred in the time of Murad II rather than earlier, perhaps in the time of Mehmed I or even of Bayezid I.

A strong indication that the Müftilik was in existence by at least the middle of Murad II's reign, however, is given in the words of the fifteenth-century Burgundian courtier Bertrandon de la Broquière.[144] Sent by Philip the Good, Duke of Burgundy, to spy out routes for a possible overland crusade, de la Broquière started on his mission from Jaffa and worked his way slowly northward, arriving eventually at Bursa where he stayed some ten days. He then passed on to Constantinople, where again he stopped for a while; and on 23 January 1433 (1 Jumādā II 836) he set out for Edirne. As Murad II happened to be in Serez at the time, de la Broquière and his companions, one of whom was Benedetto Folco da Forli, the ambassador of the Duke of Milan, set out to meet him. On the way they met the sultan's harem who informed him that Murad II was on his way back to Edirne. They awaited him first at Yenipazar, but when Murad refused to see them there, they returned to Edirne to await him. Finally, having received an audience in Edirne, the company left that city for the west on 12 March 1433 (20 Rajab 836).

De la Broquière's book contains much of interest in relation to the appearance, personality and habits of Murad II and to his military forces, but the passage of particular interest for a study of the Müftilik occurs in his description of Murad's entry into Edirne: 'Et alerent au devant de luy [le Grant Turc] le grant caliphe qui est entre eulx ainsi que le pape est entre nous, et aussi toutes les notables gens de la ville qui furent en grant nombre. Et trouverent ledit seigneur aux champs...'.[145] The editor of the work notes that 'the grand caliph' is certainly not the 'Abbāsid caliph but is rather the Şeyhülislâm Fahreddin Acemî.[146] The identification of the particular Müfti involved is a subject more suitably dealt with later, but there seems little doubt that the editor is right in his assumption that the grand caliph is, in fact, the Müfti. There is no personage in the Ottoman state of any period whom the comparison with the Pope fits as aptly as the Müfti, and the same comparison was drawn frequently enough by travellers of the next

[144] For a discussion of de la Broquière's life and a summary of his journey, see Izeddin, 'Deux voyageurs du XVe siècle en Turquie: Bertrandon de la Broquière et Pero Tafur', *Journal Asiatique*, 239 (1951), especially pp. 159–67.

[145] *Le voyage d'outremer de Bertrandon de la Broquière*, ed. Charles Schefer, *Recueil de voyages et de documents*, xii, Paris, 1892, 181.

[146] Ibid., 181, n. 1. For this identification the editor uses Müstakimzade.

century.[147] It would seem, then, that de la Broquière's statement not only provides good evidence of the existence of the office of Müfti in 836/1433 but also suggests that the Müfti was by then recognizably the chief representative of the spiritual authority of the şeriat, the chief representative of the religious aspect of the state.

The impression given by de la Broquière of the Müfti as a chiefly religious figure is strengthened by the only two known incidents in which one of the first three 'traditional' Müftis was actively involved in his capacity as Müfti, namely Fahreddin Acemî's rout of the Ḥurūfīs and his taking the chief seat in the debate on *tafsīr*, both of which incidents find parallels in the careers of later Müftis.[148] The problems presented by the Ḥurūfī heresy, which seems to have attracted the sultan himself, were more of a religious and social nature than a political one, and to deal with them the Müfti was called in. Similarly the *tafsīr* debate at the circumcision feast was an affair particularly religious in nature, and at it the Müfti took the chief seat, even over such a distinguished, but more 'temporal', colleague as the kadı of the newly conquered city of Istanbul, Hızır Bey.

The association with Fahreddin Acemî of the only information in the Turkish sources about the activities of the early Müftis may well not be entirely coincidental, for in one very important respect he seems to have differed from his two predecessors in the traditional list, Molla Fenârî and Molla Yegân, in that he appears not to have held a kadılık simultaneously with the Müftilik, whereas Molla Fenârî and Molla Yegân apparently both held the kadılık of Bursa at the same time as the Müftilik. Not only is there no suggestion in the biographical sources or in documents that Fahreddin Acemî ever held a kadılık, but there is also positive evidence that for long periods in his Müftilik he could not have been kadı of Edirne, at least, since someone else was.[149] Extant documents, or references to documents,

[147] 'Sixteenth-century Westerners compared the *Mufti* with a "very great cardinal", but more often with the pope.' (Lybyer, 209, with sources, to which may be added S. Schweigger, quoted in Dilger, 33, and John Speed (reference in 1626), quoted in G. L. Lewis, *Modern Turkey*, London, 1974, 32.)

[148] For the involvement of Müftis in cases of heresy, see below, pp. 182–6, 234–8. For a parallel to the circumcision feast, see the description in Celâlzade, *Tabakat*, f. 201a (also Peçevî, i, 155), of a similar debate at the circumcision feast for Süleyman's sons, Mustafa, Mehmed and Selim, in 936/1530, at which the seating was as follows: on the sultan's right, first the Müfti and then the Anadolu kazasker; on the sultan's left, the sultan's Hoca and then the Rumeli kazasker; and facing the sultan, the rest of the ulema. The natural assumption that the sultan's right hand was the seat of honour appears to be confirmed by the story concerning Molla Hüsrev's abandonment of the kadılık of Istanbul because of his failing to be seated on the sultan's right (see below, p. 129) and by the fact that in the descriptions of both circumcision feasts (and of other occasions as well), those seated on the right are named first.

[149] There seems to be no doubt of Fahreddin Acemî's association with Edirne rather than Bursa since all the ascertainable facts about him point to a connection with the former city. The only hint in the sources connecting Fahreddin Acemî with a kadılık is a reference in Hibrî to the Kadı Fahreddin medrese (f. 16b), whose builder Gökbilgin identifies as

bearing the signatures of kadıs of Edirne show that Ibrāhīm b. Muḥammad held the post in Shawwāl 837/June 1434, Muḥarram 840/July 1436 and Ṣafar 844/July 1440; that Ḥājjī Aḥmad b. Khiḍr was kadı of Edirne in Muḥarram–Rabī' I 846/May–July 1442; and that Molla Hüsrev held the post at least from Muḥarram 852/March 1448 to Ramaḍān 854/October 1450.[150] There is evidence that Molla Aḥmad b. Walī al-Dīn b. Ilyās (Bursalı Ahmed Paşa) succeeded Molla Hüsrev as kadı of Edirne in 855/1451,[151] while a run of documents signed by Çandarlı İbrahim Paşa b. Halil Paşa as kadı of Edirne and dated from Jumādā I 857/June 1453 to Jumādā II 869/February 1465 suggests that he was kadı for much, if not all, of that period.[152] It thus appears most unlikely that Fahreddin Acemî could have held the kadılık of Edirne for a significant period and much more likely that he never held it at all; and in this respect, in his not holding a kadılık simultaneously with the Müftilik, Fahreddin Acemî seems not only to differ from his predecessors but also to resemble all his successors in the office of Müfti. It is also, perhaps, not without significance that Fahreddin Acemî is the first to be mentioned as receiving a salary specifically in respect of his

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Fahreddin Acemî (Gökbilgin, 'Tarihler', 96). The title 'kadı' has apparently never figured in the name of the quarter (*mahalle*) named after Fahreddin Acemî, however (Gökbilgin, *EPL*, 31; idem, 'Edirne şehrinin kuruculari' in *Edirne*, 174), and one wonders whether Hibrî's use of the title is a slip of the pen, particularly as he makes no mention of a kadılık in his very brief note on Fahreddin Acemî in the section on the ulema (f. 31b) nor of Fahreddin Acemî in his section on the kadıs of Edirne (begins f. 45b).

[150] For İbrahim, see Gökbilgin, *EPL*, 271, 247–9 (facsimiles), 279 (Mecdî, 59, also mentions having seen a document signed by him as kadı of Edirne and dated 840); for Hacı Ahmed, see Gökbilgin, op. cit., 280, 270 (n. 270); for Molla Hüsrev, see below, p. 161. Mecdî, in his *tezyil* on Molla Hüsrev (p. 138), notes that he has seen a document signed by him as kadı of Edirne and dated 851/1447–8.

[151] Halil İnalcık, 'Aḥmad Pasha (Bursalı)' in *EI*². Cf. Hibrî (f. 47b), who, without giving any dates for his kadılık, lists him after Hocazade, for the commencement of whose kadılık he gives 871. It is not at all clear, however, that Hibrî's list is intended to be strictly chronological.

[152] Gökbilgin, *EPL*, 333 (n. 455), 203, 356, 333 (n. 455), 356, 227, 344, 228, 351, 351, 353, 349, 327. After the one document signed by Çandarlı İbrahim in Jumādā I 857/June 1453, there comes one signed by Maḥmūd b. Ibrāhīm as kadı of Edirne and dated Dhu 'l-Ḥijja 857/December 1453 (ibid., 326). Hibrî records that Mahmud b. İbrahim also appears as kadı of Edirne on one of Çandarlı İbrahim Paşa's own *vakfiyes*, dated 859/1455 (f. 47a): it may therefore be that Mahmud held the kadılık during these years (cf. Hibrî, ff. 46b–47a), particularly as the run of İbrahim's documents begins again only in 862/1458. According to a marginal note in Mecdî (p. 220: quoted also in Hibrî, loc. cit.), İbrahim Paşa was kadı of Edirne from 855 to 871, though the body of the *Shaḳā'iḳ* account (Taş, i, 310–14; Mecdî, 220–3) relates that he was dismissed and humiliated on his father's downfall just after the conquest of Constantinople (20 Jumādā I 857/29 May 1453). While the documents suggest the need for a considerable modification of the *Shaḳā'iḳ* account, they do not themselves necessarily support the outright rejection of it: cf. Uzunçarşılı, 'Çandarlı' in *İA* (who relies also on Kritovoulos); Ménage, 'Djandarli' in *EI*².

function as Müfti, though it cannot be shown beyond doubt that he was actually the first to have done so.[153]

The separation of the Müftilik from the kadılık is an important step in the development of the institution and helps to confirm what has been said previously about the essentially religious nature of the Müftilik. It is generally true that the kadı was a more 'secular' figure than the müfti if only because he was much more closely tied to the state organization than was the müfti. While all kadıs were appointed by the state and received allowances, for example, certainly in the period under review only the most important of the müftis received official appointments or salaries;[154] and indeed, even the salary of the Müfti of Istanbul, until the very end of the period, was considerably smaller than the allowances (to say nothing of the income) of a number of kadıs over whom he clearly took precedence, the pattern possibly having been established by the perhaps consciously modest demands made by Fahreddin Acemî.

The fact that the kadılık was thus closely tied to the secular government was unquestionably a source of some prejudice against it on the part of the more pious elements in the state. This prejudice against close involvement with the secular government may be illustrated by an anecdote related in the *Shaḳā'iḳ* about Molla Gürânî. When one of Molla Gürânî's companions remarked one day on the fact that Shaykh Muṣliḥ al-Dīn Muṣṭafā b. Aḥmad, known as Ibn al-Wafā' (İbn Vefa: d. 896/1491), visited Molla Hüsrev every day but did not visit Molla Gürânî, the latter said: 'He does right in that, for Molla Hüsrev is a scholar noted for knowledge and works (*'ālim 'āmil*), the visiting of whom is necessary. Though I too am a scholar, I mix with sultans, wherefore the visiting of me is not fitting.'[155] In a similar vein one may recall the refusal of Taşköprüzade's grandfather to return to Istanbul to take up an appointment at the newly built Sahn for fear of becoming involved in distracting ambitions for personal glory. The particular object of his fear

[153] The significance both of Fahreddin Acemî's not holding a kadılık and of his receipt of a salary specifically in respect of the office of Müfti is hinted at, but not developed, by Hezârfen: 'In the early days of the Ottoman state, the business of kaza and fetva was entrusted to a [or "one"] scholar, and he saw to matters involving the şeriat. The fact that, in the time of Sultan Murad Gazi, Molla Fahreddin Acemî was appointed for the first time to the office of müfti (*fetva*) with a daily salary of 30 akçe is recorded in the *Shaḳā'iḳ*.' (Hezârfen/Anhegger, 389: the statement attributed to the *Shaḳā'iḳ* is a bit more explicit than the *Shaḳā'iḳ* itself.) In the light of his further comments on the early history of the institution (see below, pp. 138, 143), however, one would be hesitant to interpret Hezârfen as suggesting that Fahreddin Acemî was the first Müfti.

[154] See Gibb/Bowen, i/2, 134–5, which should be modified in the light of pp. 62 et sqq. above. The problem of the salaries of provincial müftis is complicated by the fact that they were normally müderris/müftis; and while a specific portion (50 akçe) of the salary of the Müfti of Istanbul (for which see below, pp. 208, 290 et sqq.) was given in respect of his teaching, it is not certain whether any such division obtained in the case of the provincial müderris/müftis. With respect to the general problem of the relationship of müftis and the state, see Tyan, *Histoire*, 219–24; idem, 'Fatwā' in *EI*[2].

[155] Taş, i, 148 (Mecdî, 108). For Şeyh İbn Vefa, see Taş, i, 357–62; Mecdî, 251–4.

becomes clear from advice given to his son, Taşköprüzade's father, who was appointed kadı of Aleppo by Selim I. Although Taşköprüzade's father actually went to Aleppo, he resigned before taking up his duties as kadı, remembering an injunction of his father's: 'Don't become a kadı.'[156] From the standpoint of the scholar interested in learning there was, of course, the practical objection that the duties of the kadılık distracted one from the pursuit of *ilm*. Molla 'Idhārī (Molla İzârî), on hearing that Hocazade had become a kadı, is reported to have said: 'What a disaster, his acceptance of the kadılık. Had he persevered in that with which he was occupied, he would have produced great works in *ilm* at which the learned would have stood in awe';[157] while Hocazade himself, in a comment on his own career overheard by Taşköprüzade's father, acknowledges Seyyid Şerif to be his master but goes on to say: 'He had a true zeal [for *ilm*] with which neither ill-health nor offices alien [to *ilm*] (*al-manāṣib al-ajnabiyya*) interfered. I too have this true zeal, but both ill-health and alien offices—kadılıks and the like—have vitiated it. Had this not been the case, I should have had renown in *ilm*.'[158]

The dissociation of the Müftilik from a kadılık is thus important in that it seems to represent the further definition of a chiefly 'religious' authority, the representative of the more spiritual aspect of the şeriat as opposed to its practical application which was to some degree tainted, in the eyes of the pious, by its close association with secular government. This significant alteration in the nature of the Müftilik suggests the need for a reconsideration of the Turkish historical tradition regarding the establishment of the institution, to explore the possibility that Fahreddin Acemî was in a very real sense the first of the long line of Müftis.

The office of Müfti held by Molla Fenârî and Molla Yegân was, as far as can be judged from the sources, merely an adjunct to their other offices. No material is given about their activities as Müfti, and no anecdotes are related about them in their capacity as Müfti, though something is related about each in his capacity as kadı. One would not suggest that they did not hold the Müftilik, but one can suggest that they held a very different kind of Müftilik from that held by Fahreddin Acemî.

The idea that Molla Yegân and Fahreddin Acemî held different sorts of posts goes some way toward a possible explanation of the obvious confusion concerning the facts of the Müftiliks of these two men. It has been noted above that while the accepted Turkish tradition has rejected the Müftilik of Molla Yegân and has passed straight from the Müftilik of Molla Fenârî to that of Fahreddin Acemî, there is evidence, part of which is the source

[156] Taş, i, 614 (Mecdî, 392), and above, Chapter I, n. 4.

[157] Taş, i, 205 (Mecdî, 150). For Molla İzârî (Ḳāsim Germiyānī), see Taş, i, 419–21; Mecdî, 300–1.

[158] Taş, i, 210 (Mecdî, 152–3). The complaint must also have applied in some measure to a müftilik and even a müderrislik in so far as they might be considered a distraction from study and writing; but both were, by their natures, much more closely connected with *ilm*, less 'alien', than was the kadılık.

chiefly used in formulating the Turkish tradition, to show that Molla Yegân did succeed Molla Fenârî in his office of Müfti. But what is not stated or even suggested by the early Turkish sources is that Fahreddin Acemî succeeded Molla Yegân; there is, in fact, nothing to connect the two except the fact that Molla Yegân succeeded to the *riyāsat al-fatwā* and that Fahreddin Acemî became Müfti. They were located in different places, Molla Yegân in the old capital, Bursa, and Fahreddin Acemî in the new capital, Edirne. In view of the differences in the natures of their jobs and in their locations, and in view of the lack of any mention of a connection between the two men, it is not impossible to suppose that they held their offices contemporaneously, that while Molla Yegân held the office of Müfti in conjunction with his other offices in Bursa, perhaps even retaining some official precedence over Fahreddin Acemî, the latter was appointed to an entirely new office, the Müfti of the capital, which was then Edirne. It should be noted that the title 'Müfti of the capital' is a possible description of all the later Müftis, since after Fahreddin Acemî's death—which occurred after the conquest of Constantinople—all the Müftis were in fact Müfti of Istanbul.

The fact that it is at least possible that Molla Yegân and Fahreddin Acemî held office contemporaneously for part of their respective appointments is of some help in trying to establish the identity of de la Broquière's 'grand caliph'; for although Molla Yegân should have been Müfti in 1433 if his Müftilik and that of Fahreddin Acemî are viewed as successive rather than contemporaneous, de la Broquière's statement applies rather better to Fahreddin Acemî than to Molla Yegân for several reasons. In the first place, as has been shown above, de la Broquière's comparison of the Müfti with the Pope suggests a personage whose main characteristic was his spiritual rather than his temporal authority, a description which fits Fahreddin Acemî more closely than it does Molla Yegân.[159] Secondly, it was from Edirne that 'the grand caliph ... and also all the notables of the city ...' go out to meet the returning sultan. It is perhaps possible that were Murad II returning from a great victory, Molla Yegân might have come from Bursa to greet him, but such seems not to have been the case. There is in any event nothing in de la Broquière's description to suggest that the grand caliph was not resident in Edirne.

If it is the case that the grand caliph in de la Broquière's account is indeed Fahreddin Acemî, it would mean that all the admittedly meagre information relative to the nature of the early Müftilik and the activities of the early Müftis is connected with Fahreddin Acemî. This fact, together with the facts mentioned above, that Fahreddin Acemî appears to have been the first to hold the office of Müfti without an accompanying kadılık and to have been the first to receive a salary specifically in respect of the Müftilik, makes it a

[159] It should be noted that de la Broquière was aware of what a kadı was, for he gives a description of the kadı of Edirne's court: de la Broquière, 195.

reasonable assumption that he was the first Müfti in the sense commonly understood in later times. If such be the case, what may be said about the Müftiliks of Molla Yegân and Molla Fenârî?

Although a reasonable amount of material is available about the lives of these two men, nothing is known about their Müftiliks beyond the bare statement that they did hold the office; and it is consequently impossible to make assumptions with any assurance about the nature of their Müftiliks. It seems perfectly possible that the creation—or re-creation, if one accepts that Molla Edebâlî and Tursun Fakih were in some sense Müftis—of the office of Müfti to which Molla Fenârî and Molla Yegân were appointed represents the first step in the creation of the office to which Fahreddin Acemî was appointed, a groping towards the concept which was fully realized in the office held by the latter. It is, perhaps, possible that the office was created in an attempt to impose some organization on the traditionally unorganized function of *iftā'*, that the Müfti was one whose opinion was in some way considered superior to that of other müftis and who, perhaps, was responsible for the appointment of lesser müftis.[160] It may even have been envisaged that the holder of the office would act as, in some sense, chief adviser to the sultan on matters pertaining to the sacred law, although a point to be noted in this connection is that both Molla Fenârî and Molla Yegân lived in Bursa while the sultan resided for the most part in Edirne. There is no more evidence for these suggestions, however, than for the possible suggestion that the office was largely honorary and created *ad hominem* for Molla Fenârî, perhaps as an inducement to return from Karaman[161] or as an additional honour when he did return.

Speculation in regard to the relationship of the Müftiliks of Molla Fenârî and Molla Yegân to that of Fahreddin Acemî founders because of the total lack of information concerning the Müftiliks of the first two; and speculation regarding the reasons for the foundation of the institution is likewise extremely difficult as there is little enough information regarding the actual duties even of Fahreddin Acemî. But from the very fact that a religious authority who was comparable with the Pope, and for whose position no precedent seems to have existed in the Ottoman state except, perhaps, in its earliest, almost legendary days, appears on the scene relatively suddenly in the time of Murad II, it seems possible to deduce at least part of the reason for the foundation of the institution.

There seems to be a good bit of evidence to suggest that the reign of Bayezid I (1389–1402) was, in the eyes of the pious, a dangerously irreligious

[160] Something of this nature may have been in the mind of the author of *SO*, who writes (i, 6): 'In that time of felicity [the reign of Murad II] the Müftilenam (*Mufti 'l-anām*) was appointed, whose authority became valid over the müftis.' The view that the Müftilik was created for organizational purposes will be dealt with in greater detail in the Conclusion.

[161] The creation of the office would thus have occurred in all probability in the time of Mehmed I. There is no very substantial evidence to prevent such a dating.

one. Wittek writes that among the basic causes of concern were Bayezid's policy of using Christian soldiers against the Muslim gazi emirates in Anatolia and the 'latinization' of the Ottoman court, the introduction into it of the practices of the Christian Balkan princes, this criticism being reflected in anecdotes relating that Bayezid's Serbian wife Despina instructed him in the delights of wine.[162] The suggestion that Bayezid was lax in the observance of his religious obligations is found in an anecdote, related in the *Shaḳā'iḳ*, concerning Molla Fenârî. The latter, as kadı of Bursa, refused Bayezid's evidence in a case, saying that he abandoned the congregation in prayer. Bayezid subsequently made amends by building a mosque in front of his palace and appointed a place for himself therein.[163]

Nor was Bayezid alone held up to reproach. A few of the ulema, highly placed in the government, encouraged him in his attacks on the gazi emirates, ulema 'whose ideas and sentiments had remained attached to the ancient centres of Islam from which they had come as poor adventurers and to which they intended to return as wealthy ministers of the new master'.[164] A number of anecdotes relate the corruption, greed and ignorance of the ulema and the discontent felt at the introduction of the administrative practices of high Islam and especially its fiscal policy.[165]

The assertion that Bayezid's reign was felt to be essentially a godless one finds confirmation in the view taken by the earliest Ottoman historians of the crushing defeat suffered by Bayezid at the hands of Timur in 1402 near Ankara and the subsequent chaos in the Ottoman state. Writing about the earliest Ottoman historical text, İnalcık states:

> It is to be observed that the first compilation originated in the period of struggle for the existence of the Ottoman state after the fateful defeat in 1402. One can easily see in this historical account the effort to explain the disaster as God's punishment for the sins committed under Bāyezīd I. He and his *vezir* 'Alī Pasha are accused of encroaching upon the *Sherī'at* (*Sharī'a*) and introducing innovations in the government. When the chronicle describes 'Oṣmān Ghāzī as having no gold and silver in his possession at his death and as rejecting new taxation on dealings in the bazaar as a violation of the *Sherī'at*, our source appears to intend to criticize his own period by setting the first Ottoman ruler as an ideal example. The emphasis put on the respect shown by the first Ottoman rulers for the dervishes by granting them generous plots of land can also be interpreted as a

[162] P. Wittek, 'De la défaite d'Ankara à la prise de Constantinople', *Revue des Études Islamiques*, année 1938, 8–10.

[163] Taş, i, 88; Mecdî, 50. Hüsameddin's doubts about this story ('Molla Fenârî', a, 377) seem hard to justify on the basis of Müneccimbaşı whom he quotes as giving 793 for the foundation of the mosque in question but who actually gives 798 (Müneccimbaşı/Nedim, iii, 309).

[164] Wittek, 'De la défaite', 8.

[165] Ibid., 11. See also Âli, v, 103–5.

> denunciation of Bāyezīd's policy of abolishing the rights on the *mulk* and *waqf* lands. Thus this work on the first century of Ottoman history bears the marks of the great disappointment at the collapse of Bāyezīd's empire.[166]

In view of the deeply felt resentment at the reign of Bayezid I on the part of at least the more pious elements of the state, it seems not impossible that Murad II (1421–51) who, after Mehmed I (1413–21), set about re-establishing the integrity and order of the Ottoman state, decided to provide an answer to the critics of the secular state by the creation of an office to represent the spiritual authority of the şeriat, an office, moreover, free from the taint that had come to affect the members of the ulema associated with the state service. Wittek suggests that Bayezid I was aware of the criticisms of himself on religious grounds and that he sought investiture as Sultan of Rum, a title he already possessed in fact, from the 'Abbāsid caliph in Cairo because he felt the need for a religious sanction for his regime.[167] It may well be that Murad II, instead of turning outside the Ottoman world, created within it a figure to parallel the 'Abbāsid caliph in respect of the religious authority and sanction he represented.

Modern western authors have compared the position of the Müfti with that of the 'Abbāsid caliph[168] and the Oecumenical Patriarch.[169] It would be wrong to say that the Müftilik was created simply in imitation of either; but either—and, in view of the period, more likely the former—may have been imitated to answer the need for a similar office in the Ottoman state. Again, it has been suggested that the Müftilik was 'a survival of the ancient mystical religious tradition in the Ottoman state, a tradition which demanded alongside of the secular power, a religious authority having no judicial powers but representing, so to speak, the religious conscience of the people'.[170] In few periods in early Ottoman history can that need have been felt more strongly than in the years following Ankara.

It seems possible to suggest, then, that in Fahreddin Acemî one finds the full realization of a conscious policy (perhaps partly realized in Molla Fenârî

[166] İnalcık, 'Historiography', 155. See further the same author's comments on the social and political upheaval following Ankara in idem, *Empire*, 188 et sqq.

[167] 'De la défaite', 8–9.

[168] M. Gaudefroy-Demombynes, *La Syrie à l'époque des Mamelouks*, Paris, 1923, xxix; J. H. Kramers, 'Shaikh al-Islām' in *EI*[1]; Gibb/Bowen, i/2, 85.

[169] Kramers, loc. cit.; Gibb/Bowen, loc. cit.

[170] Kramers, loc. cit. Gibb and Bowen (loc. cit.) state the suggestion in much the same terms.

and Molla Yegân)[171] on the part of Murad II to create within the state '... alongside of the secular power, a religious authority ... representing, so to speak, the religious conscience of the people'. The relation of this authority to the other officials of the state, indeed to the sultan himself, must, however, wait upon a discussion of the further historical development of the Müftilik, a subject to which it is now necessary to turn.

[171] Kramers (loc. cit.) writes: 'The growth of importance of the *Muftī* of Constantinople was in any case spontaneous and not caused by the sovereign will of the Sulṭāns, expressed by the conferring on his part of the title of Shaikh al-Islām, which at this period was borne by many *muftī*'s (see below).' It is certainly true that the conferring of the title Şeyhülislâm seems to have had nothing to do with the importance of the office; but it will be seen that otherwise the present argument advances a different view from Kramers'.

CHAPTER FOUR

The Müftilik in the Later Fifteenth Century

Introduction

The succession of Müftis in the latter half of the fifteenth century, after the conquest of Constantinople (857/1453), represents one of the most complicated problems to be met with in tracing the history of the early Müftilik, the difficulties largely arising, as one would expect, from a lack of sufficient evidence at certain crucial points in the careers of several of the Müftis. There are, broadly speaking, three main sources of confusion. The first is that the traditional account of the Müftilik is in an important respect at odds with the facts since the dating of the Müftilik of Molla Abdülkerim in the traditional list can be shown not to accord either with the earliest biographical information or with such little documentary evidence as exists, this fact, in turn, having implications for the dating of the periods of office of several other Müftis. The second is that it is in relation to this period that one finds a quite separate account of the origins of the Müftilik advanced, namely Kâtib Çelebi's view that the office originated not with Molla Fenârî in Bursa or Fahreddin Acemî in Edirne but rather with Hızır Bey in Istanbul, the Müftilik being for his tenure, and for some time after, a *ḍamīma* (*zamime*: addition) to the post of kadı of Istanbul, of which he was the first holder. The third is the possibility, suggested also by Kâtib Çelebi's account of the office and supported to some degree by several contemporary documents, that there may have been a separate official müftilik of Edirne during the period: unfortunately, so shadowy is the evidence for its existence that as matters now stand it merely adds to the confusion, though could the facts about it be discovered, they might go some way toward resolving some of the problems in this vexed period.

To take first the question of the traditional list, one finds that the neatly-dovetailed listing of Müftis developed by the authors of the later Turkish tradition conceals serious confusion amongst earlier authors in respect of the true facts. One need go no further back than Müstakimzade to become aware of this confusion, which, as has been remarked above, centres mainly on the placement of the Müftilik of Molla Abdülkerim. Müstakimzade[1] places his article on Abdülkerim after that on Molla Gürânî, and it will be seen from the traditional list that the later authors have accepted this placement, dating Abdülkerim's Müftilik from 893/1488 to Rajab 900/March–April 1495. There is no justification in Müstakimzade's article for such a dating, however, and Müstakimzade's every word indicates his uncertainty about Abdülkerim's career. He begins his article with the vague statement: 'The late [Molla Abdülkerim] was also licensed to give fetvas (*ma'dhūn*

[1] Müstakimzade, ff. 4b–5a.

bi-'l-iftā') during this period.' Having given a sketchy account of his early career, he notes that he became kazasker in 863/1458–9 and was then removed from that post in 871/1466–7. He then proceeds: 'After a while he was reinstated in favour by being authorized to give fetvas (*ma'dhūn bi-'l-fatwā*).' He reports that he died in the early days of the reign of Bayezid II (886–918/1481–1512), in the year 907/1501–2 according to one report, and concludes: 'Because, according to the account in the *Shaḳā'iḳ-i nu'māniy-ya*, he was an adornment of the chain of Şeyhülislâms, he has been recorded in this place.'

So vague, indeed, is Müstakimzade that one is led to suspect that he doubts the validity of Abdülkerim's claim to the Müftilik. His last sentence is tantamount to saying that he includes Abdülkerim, perhaps rather against his own better judgement, only because the *Shaḳā'iḳ* mentions the fact that he became Müfti. Strengthening the impression of Müstakimzade's uncertainty is his use of the term *ma'dhūn bi-'l-iftā'* (or the variant *ma'dhūn bi-'l-fatwā*) in regard to Abdülkerim's Müftilik. Aside from using it twice in relation to Abdülkerim, he uses it on only three other occasions, at least in his articles concerned with the Müftis under consideration: first, in the general statement which forms the basis for his rejection of the Müftilik of Molla Yegân to the effect that all the ulema are empowered to give fetvas; second, in connection with Molla Yegân himself; and third, twice in regard to Molla Shaykh 'Abd al-Karīm al-Ḳādirī (Şeyh Abdülkerim), who seems to have held an *ad hominem* müftilik, not connected with the Müftilik of Istanbul, in the time of Süleyman.[2]

The fact that Müstakimzade is clearly at a loss about Abdülkerim is further pointed up in his article about the following Müfti, Molla Arab. There he reports without comment the statement of the *Katā'ib* that Molla Arab became Müfti on the death of Molla Gürânî, that is, in 893/1488, and goes on to say that he died in 901/1495–6.[3] Whatever Müstakimzade does think about the dating of Abdülkerim's Müftilik, then, it is clear that he does not believe that he followed Molla Gürânî. As will be noted from the list, however, later tradition has set aside Müstakimzade's doubts, accepting his placement of Abdülkerim's Müftilik and ignoring his dating of Molla Arab's Müftilik.

Reference to the *Shaḳā'iḳ*, both Taşköprüzade's original and Mecdî's translation,[4] makes it difficult to understand how such confusion has arisen; for although relatively few facts are given there about Abdülkerim, and although it is impossible to specify with any assurance the precise dates of his Müftilik, one thing at least is clearly stated: that Abdülkerim was Müfti not in the time of Bayezid II (886–918/1481–1512) but in the time of Mehmed II (855–86/1451–81). Taşköprüzade writes: 'Then [Sultan Mehmed] made him

[2] Ibid., ff. 3a, 7a. See further below, pp. 222–3.

[3] Müstakimzade, ff. 5a–b. *Katā'ib*, f. 370a.

[4] Taş, i, 244–6; Mecdî, 176–8. See also Atâ'î, 114–15; Hibrî, ff. 32b–33a; *SO*, iii, 351.

kazasker, then he removed him and made him Müfti. Then he [Abdülkerim] died in the days of the reign of Sulṭān Bāyazīd Khān.' Mecdî is even more specific: '[While teaching at the Sahn] he became kazasker in place of Hocazade. ... [Then] he was removed and was appointed Müfti in the city of Constantinople in 870/1465–6 after Molla Fahreddin Acemî. The aforementioned [Abdülkerim] died in the time of the reign of Sultan Bayezid.'

One is faced, then, with two conflicting views about the dating of the Müftilik of Abdülkerim: first, the view of the *Shaḳā'iḳ* that he was Müfti in the time of Mehmed II, perhaps from 870/1465–6 onwards; and second, the view of the writers connected with the later tradition, Müstakimzade half-excepted, that he was Müfti in the time of Bayezid II, more precisely, following Molla Gürânî, from 893/1488 to Rajab 900/March–April 1495. Müstakimzade's account lies neatly between these two views: on the one hand he places his article on Abdülkerim after that on Molla Gürânî, on the other he refutes this placement by his dating of Molla Arab's Müftilik. He refuses to commit himself at all on the dating of Abdülkerim's Müftilik, not even naming the sultan in whose reign it occurred.[5]

It is difficult in this case not to accept the view of the *Shaḳā'iḳ*. There is first the point that it is the earliest source. The period under review is well within the lifetime of Taşköprüzade's father and his contemporaries.[6] While one cannot always rely on Taşköprüzade for precision in regard to dates, nor for that matter even in regard to the reigns in which various events occurred, as has been seen, it is hard to accept that he is in error by some twenty or twenty-five years, especially in a period close enough to his own to allow him access to people who had lived in that period. Another point worth noting, though perhaps less decisive, is the close association of Abdülkerim with the Grand Vezir Mahmud Paşa. The only anecdote related in the article in the *Shaḳā'iḳ* about Abdülkerim concerns a *meclis* of Mahmud Paşa's in which Molla Vildân complains to Mahmud Paşa that he shows greater love to Abdülkerim than to him. Mahmud Paşa confesses that such is the case, explaining that Abdülkerim saved him from an addiction to wine which, he implies, would have seriously impaired his chances not only for a successful career but for salvation as well.[7] The fact that aside from the information

[5] It must be emphasized again that it is not at all clear that Müstakimzade accepts the validity of Abdülkerim's claim to the Müftilik, although it seems probable that he is in doubt largely because he cannot see where he fits into the succession of Müftis. It may be noted that el-Kefevî, one of Müstakimzade's principal sources, does not mention the fact that Abdülkerim became Müfti (*Katā'ib*, f. 380a: EE and V are also silent on this point), a fact which may have induced, or contributed to, Müstakimzade's uncertainty.

[6] The story noted below about the Grand Vezir Mahmud Paşa's explaining his love and respect for Abdülkerim to Molla Vildân, an incident which could not have occurred later than 879/1474, the year of Mahmud Paşa's execution, was related to Taşköprüzade by one who was present at the *meclis* of Mahmud Paşa's in which the incident occurred.

[7] Taş, i, 245–6; Mecdî, 177–8. According to the *Shaḳā'iḳ*, Mahmud Paşa, Abdülkerim and Molla Ayās were all captives in war and were brought to the Ottoman lands together (see below, pp. 150–1). For Molla Vildân, a protégé of Mahmud Paşa's, see Taş, i, 304–6;

relative to his appointments and dismissals the only memorable thing about Abdülkerim seems to have been his close association with Mahmud Paşa is not, perhaps, without significance.

There are, moreover, serious complications in the view taken by the later tradition, complications which clearly arise from an attempt to fit Abdülkerim in where he does not belong. It has already been noted that in order to put Abdülkerim's Müftilik into the reign of Bayezid II the writers connected with the later tradition have had to ignore Müstakimzade's dating of Molla Arab's Müftilik, namely 893/1488 to 901/1496 (based, as mentioned above, on the *Katā'ib*), and have substituted instead 893/1488 to Rajab 900/March–April 1495 for Abdülkerim's period of office and the latter date to Rajab 901/March–April 1496 for that of Molla Arab. Neither Taşköprüzade nor Mecdî gives any clue concerning the date of Molla Arab's appointment to the Müftilik (beyond the fact that it is implicit that it occurred in the reign of Bayezid II), although both state that he died as Müfti of Istanbul in 901/1495–6.[8] Documentary evidence comes to the rescue at this point, however. Gökbilgin reproduces a *muhasebe* for Mehmed II's *vakıf* complex based on the Fatih mosque in Istanbul for the year 1 Dhu 'l-Ḳa'da 894 to the last day of Shawwāl 895 (26 September 1489 to 15 September 1490) from which it is clear that Molla Arab was both müderris at the Sahn and Müfti during that year;[9] while in a document published by Barkan, a conflation of two statements of income and expenditure for the *imaret* of Murad II in Edirne, written in Rajab 896/May–June 1491 and covering the years mid-893 to mid-895, one finds a reference to one 'Mevlânâ İsa Halife, [the] Sufi, one of the disciples of Mevlânâ Arab, müfti'.[10] To this documentary evidence may be added the fact that Sa'deddin states that Molla Arab was intimately involved as Müfti in the peace negotiations in 895–6/1490–1 which brought an end to the war between the Ottomans and the Mamlüks over control of Cilicia.[11] These pieces of evidence would seem to establish beyond doubt the correctness of Müstakimzade's dating of Molla Arab's Müftilik, a dating which, in turn, leaves no room for the possibility that Abdülkerim held the Müftilik—or the Müftilik of Istanbul, at any rate—during the period stated by the later tradition.

As the later authors have adjusted the dating of the Müftilik of Molla

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Mecdî, 215–17; and above, pp. 21–5.

[8] Taş, i, 242; Mecdî, 175.

[9] Gökbilgin, *EPL*, 302 et sqq., especially pp. 304 (under salaries for müderrises at the Sahn) and 305. The latter entry is under the heading:

جماعت متفرقه زواید خوران

and is as follows:

اولاد مولانا عرب مدرس ومفتی 5 نفرًا فی یوم 40

See also below, pp. 179–81.

[10] Barkan, 'Edirne', 306.

[11] Sa'deddin, ii, 65–9. See also below, pp. 181–2, 217–18.

Arab in order to make room for that of Abdülkerim, so they have stretched the facts considerably in extending the Müftilik of Molla Hüsrev to cover the whole vexed period from the date which they give for the death of Fahreddin Acemî, namely 865/1460–1, to that which they give for the accession of Molla Gürânî (885/1480; but cf. below, pp. 144 et sqq., especially p. 150). The facts about Molla Hüsrev's Müftilik are by no means certain, but the *Shaḳā'iḳ* does give a fairly clear picture of the circumstances leading up to his becoming Müfti. According to Taşköprüzade and Mecdî, Molla Hüsrev was given the office of kadı of Istanbul on the death of Hızır Bey in 863/1459, together with the kadılıks of Khawāṣṣ (Eyüp), Galata and Üsküdar and the professorship of the Ayasofya medrese. At some point during his tenure as kadı of Istanbul, Mehmed II planned a great feast. He asked Molla Gürânî about the protocol of the seating arrangements, whereupon Molla Gürânî replied: 'The most fitting thing for Gürânî is that he should serve at this feast and not sit.' So pleased was Mehmed II with this answer that he planned to seat Molla Gürânî on his right and Molla Hüsrev on his left. Word of this apparently reached the latter, who, offended, refused to attend the feast, boarded a ship for Bursa, and there built a medrese where he taught. Some time later Mehmed II repented of his action, invited Molla Hüsrev back to Istanbul and gave him the office of Müfti.[12]

A number of different dates are given for these events in Molla Hüsrev's career by various authors, both early and late. İsmail Beliğ, followed by the *Sicill-i Osmanî*, Babinger and Uzunçarşılı, gives 867/1462–3 for his departure;[13] the *Sicill-i Osmanî*, followed by Babinger, gives 874/1469–70 for his return. A marginal note in Mecdî's article on Hocazade states that the latter succeeded Molla Hüsrev as kadı of Istanbul in 872/1467–8.[14] E. J. W. Gibb says that Molla Hüsrev departed for Bursa in 875/1470, while d'Ohsson gives 1472 (876–7).[15] Mecdî, in his article on Molla Hüsrev, says that he went in 877/1472–3 but gives no indication of the date of his return.[16] The later Turkish tradition has, of course, settled upon 865/1460–1 as the date of his return from Bursa and his assumption of the office of Müfti.

It may be said at once that of these dates the most inherently improbable

[12] Taş, i, 184–6; Mecdî, 137–8. That Molla Hüsrev was kadı at the time of the feast is not, in fact, explicitly stated by Taşköprüzade, but the implication that he was is inescapable, inasmuch as the story of the feast follows immediately after a description of his activities as kadı and müderris. Unfortunately the facts of Molla Gürânî's life during this period are very uncertain as well, as a result of which it is impossible to state what position, if any, he held at the time: see below, pp. 172–3.

[13] İsmail Beliğ, 260; *SO*, ii, 271–2; Babinger, 'Khosrew, Mollā' in *EI*[1], *EI*[2]; Uzunçarşılı, *OT*, ii, 652–3.

[14] Mecdî, 149.

[15] Gibb, *Ottoman Poetry*, ii, 395; d'Ohsson, iv, 499 (almost certainly derived from Kâtib Çelebi, as in the following note).

[16] Mecdî, 138. Kâtib Çelebi's very different account of the history of the Müftilik during this period seems none the less to agree that 877 marked a break in Molla Hüsrev's career: see below, pp. 137 et sqq.

is the last, that given by the later Turkish tradition. It is, of course, rendered suspect simply because the writers connected with the tradition appear to be guilty of having ignored the best evidence concerning Abdülkerim and Molla Arab and because, in order to remain consistent, they must therefore necessarily extend the Müftilik of Molla Hüsrev to cover the period in the reign of Mehmed II from which the Müftilik of Abdülkerim appears to have been removed. But more, were one to accept the date given in the traditional account, one would also have to accept that in the space of something less than three years Molla Hüsrev was appointed to and then abandoned the posts to which he was appointed at the death of Hızır Bey, went to Bursa, built a medrese and taught there, and returned to Istanbul to accept the office of Müfti. Taşköprüzade includes in his account, however, between Molla Hüsrev's appointments on the death of Hızır Bey and his departure for Bursa, a considerable amount of material more or less related to Molla Hüsrev's activities in these capacities, enough to make it improbable in the extreme that he held the offices for so short a period. It is recorded, for example, that in spite of his duties as kadı and müderris, he yet managed to copy every day two leaves (*waraḳ*) from the books of the ancients (*al-salaf*); and Mecdî adds in regard to this point that Molla Hüsrev thus left a number of books in his own hand at his death.[17]

Recently published documentary evidence enables one to support these possibly tenuous impressions with fact, however. A run of some eighteen documents, found in various sources but principally in Barkan/Ayverdi, the earliest of which is dated mid-Muḥarram 864/early November 1459, the latest late Rajab 876/early January 1472, suggests that Molla Hüsrev held the kadılık of Istanbul at least between these dates.[18] Taking the biographical

[17] Taş, i, 184–5; Mecdî, 137. Both authors say that he had a beautiful hand and that after his death there were found among the books in his own hand two copies of Seyyid Şerif's *Sharḥ al-Mawāḳif* which were bought by one of (or 'certain of') the ulema of the time for 6,000 akçe. For an example of his hand, see *İS*, 330–1.

[18] In chronological order: Gökbilgin, *EPL*, 352; Barkan/Ayverdi, doc. 629; Ali Himmet Berki, 'İslâmda Vakıf, Zağanus Paşa ve Zevcesi Nefise Hatun Vakfiyeleri', *Vakıflar Dergisi*, iv (1958), 19–37, especially p. 28; Barkan/Ayverdi, docs. 581, 811, 66, 253, 235, 166, 1513, 908, 559, 233, 1306, 550, 971, 1061, 1627. The signature cited by Berki—in effect, simply 'Mehmed, kadı of Constantinople'—is unusual in not including the father's name but is almost certain, none the less, to be that of Molla Hüsrev. The date of the document cited in Barkan/Ayverdi, p. 36b (doc. 235), is given as 896, but this seems certain to result from a simple transposition of the last two digits. The number and spread of the documents, which are fairly evenly distributed throughout the period (though there is a gap of two and a bit years after the first and several gaps of as much as fifteen months later on) make it seem likely that Molla Hüsrev held the office continuously, but one could not wholly rule out the possibility that his tenure was interrupted. The run of documents in Barkan/Ayverdi is apparently broken by documents signed by others, but most of these signatures are explicable on grounds other than that the signatory held the kadılık of Istanbul at the given date: for example, the signature on a document dated Rabī' I 870/October–November 1465 of Mevlânâ Mahmud b. Seydi Ahmed (doc. 936), who was, however, almost certainly kazasker, then or later (cf. Gökbilgin, *EPL*, 327, facsimiles, 194

information in conjunction with the documents, one can see no reason whatever to doubt that he succeeded Hızır Bey on the latter's death in 863/1459, but the date of his leaving the office cannot be so certainly fixed. A series of eight documents signed by Mustafa b. Yusuf (Hocazade) and dating from mid-Shawwāl 877/mid-March 1473 to early Rabī' I 881/late June 1476 indicates that Hocazade may indeed have succeeded Molla Hüsrev, as the marginal note in Mecdî states (while apparently giving an incorrect date, namely 872/1467–8): only the signature of Molla Ḥamīd b. Afḍal (Efdalzade) on a document dated late Jumādā I 877/early November 1472 intervenes, and this (and another of his, dated early Ṣafar 874/mid-August 1469, interrupting Molla Hüsrev's putative tenure) is possibly explicable as actually dating from his seven-year period in the post in the 890s.[19] Interestingly, the date of the earliest document signed by Hocazade—mid-Shawwāl 877—more or less coincides with that of a *berat* recording that on 23 Shawwāl 877/23 March 1473 Efdalzade had been appointed to the Sahn in place of Ali Kuşçu who, Uzunçarşılı says, had been transferred to the müderrislik of the Ayasofya medrese,[20] one of the posts which Molla Hüsrev

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et sqq.); and the signature on a document dated early Ramaḍān 870/mid-April 1466 of Mevlânâ Mustafa b. Evhadüddin'ül-Yarhisârî (doc. 1050), the main run of whose documents suggests that he was kadı some thirty-five to forty years later (see Index, A. II., s.v., and under Mustafa b. Evhadüddin). Two which cannot be easily explained are the signature on a document dated early Sha'bān 868/mid-April 1464 of Mevlânâ Ca'fer b. İbrahim (doc. 710) and that on a document dated early Jumādā I 874/mid-November 1469 of Mevlânâ 'İsâ b. Menteşe (doc. 1060). Neither signatory is otherwise encountered in Gökbilgin, Barkan/Ayverdi or the *Shaḳā'iḳ*, and it would be unsafe to conclude on the basis of a single signature that either held the kadılık of Istanbul on the stated date, given that so many alternative explanations of their signatures are possible.

[19] For Hocazade's documents, see Barkan/Ayverdi, docs. 1795, 473, 1792, 452, 1056, 462, 2117, 1103; for Efdalzade's, see ibid., docs. 1666, 1604, and for his kadılık, below, pp. 189–91. el-Kefevî, in his biography of Molla Kestelli, states that he followed Hocazade, Hocazade Molla Hüsrev, and Molla Hüsrev Hızır Bey as kadı of Istanbul (*Katā'ib*, f. 371b). According to İsmail Beliğ (p. 260), Molla Hüsrev was succeeded by Molla Gürânî. While it is the case that very little is known of the latter's career around this time (see below, pp. 172–3), there seems to be no evidence either in the biographical sources or in documents to support İsmail Beliğ's assertion. Kâtib Çelebi, in his list of kadıs of Istanbul in the *Takvim* (pp. 208 et sqq.), has Hasan Samsunî (Ḥasan b. 'Abd al-Ṣamad al-Sāmīsūnī: Taş, i, 247; Mecdî, 179) and Mahmud ibn Küpeli [*sic*] (apparently Muḥyi 'l-Dīn Muḥammad, known as İbn Küpeli: Taş, i, 303–4; Mecdî, 215) between Molla Hüsrev and Hocazade. The biographical sources record that Hasan Samsunî held the office, but two documents in Barkan/Ayverdi (docs. 453, 454) bearing his signature and dated mid-Jumādā I 886/early July 1481 suggest that he did so at a later date. There appears to be no evidence, either biographical or documentary, that İbn Küpeli held the office. R. Ziyaoğlu, in *İstanbul kadıları, şehreminleri, belediye reisleri ve partiler tarihi, 1453–1971*, Istanbul, 1971, 55, lists a Mahmud Efendi (from Kâtib Çelebi ?) between Molla Hüsrev and Hocazade. Too little information is given to permit identification, however, and his book is in any case not to be relied upon for this sort of detail.

[20] The *berat*, dated early Dhu 'l-Ḳa'da 877/early April 1473, is quoted in transcription in Uzunçarşılı, *İT*, 79–80. It had earlier been published in Arabic characters by A. Süheyl Ünver in 'Fâtih Sultan Mehmet zamanında tedris berâtları vesilesiyle Ali Kuşçu ve

had held in conjunction with the kadılık of Istanbul. There is, however, no evidence that Ali Kuşçu succeeded Molla Hüsrev, and Uzunçarşılı's statement that he had been transferred to the Ayasofya medrese (which is not mentioned in the *berat*) needs to be set against the *Shaḳā'iḳ* report that Ali Kuşçu accompanied Mehmed II on the campaign against Uzun Hasan (began Shawwāl 877/March 1473) and was appointed to the Ayasofya medrese only on their return (mid-878/autumn 1473).[21]

On the basis of the documentary evidence, then, it would appear that Molla Hüsrev still held the kadılık of Istanbul in Rajab 876 but had almost certainly left that office by Shawwāl 877. Scattered statements in the biographical sources which bear on the problem are of mixed value. It would appear, for example, that either the statement in the *Shaḳā'iḳ* that Molla Kestelli was kadı of Istanbul at the time of the death of Molla 'Alā' al-Dīn 'Alī b. Majd al-Dīn Muḥammad (Molla Musannifek), or the latter's death date, which is given as 875/1470–1, must be treated with caution.[22] On the other hand, the statement that Hocazade, as kadı of Istanbul, was amongst the group of ulema who met Ali Kuşçu at the time of his arrival to settle permanently in the Ottoman lands, which event Babinger plausibly dates in the beginning of the spring of 1472 (Shawwāl 876),[23] may, if the facts stated are correct, permit a refinement of the dating of Molla Hüsrev's departure from the kadılık, which would thus appear to have occurred between Rajab and Shawwāl 876.

Of more interest from the point of view of the Müftilik than the date of Molla Hüsrev's departure for Bursa—except in so far as the two are related, of course—is the date of his return, since it was then, if the *Shaḳā'iḳ* account is correct, that he became Müfti. Like the date 865/1460–1 advanced for his return by the later tradition, the date 874/1469–70 given by the *Sicill-i Osmanî* and Babinger would seem to be invalidated by the documentary evidence concerning Molla Hüsrev's tenure as kadı. The only clue so far discovered of any value to a possible dating of his return is the fact that, according to Bursalı Mehmed Tahir, there exists a copy of one of his most famous works, the *Durar al-ḥukkām fī sharḥ Ghurar al-aḥkām*, written in his own hand, presented to Mehmed II, and dated 878/1473–4:[24] it would not

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Efdal-zâde', *Fatih ve İstanbul*, i/3–6, Istanbul, 1953–4, 352–3. Uzunçarşılı's text differs in two important respects from Ünver's, in reading 23 for 3 Shawwāl for the date of the appointment and *evâil-i Zilkade* for *evâhir-i Zilkade* for the date of the *berat*. Uzunçarşılı's reading seems distinctly preferable in the former case (Ünver's *mükerrem* (for *yirmi*) appears inexplicable), but only a sight of the original document could arbitrate the latter point.

[21] Taş, i, 252; Mecdî, 183. The *Shaḳā'iḳ* makes no mention of Ali Kuşçu's having taught at the Sahn.

[22] Taş, i, 227, 259; Mecdî, 165, 186. The statement about Molla Kestelli comes in a story related to Taşköprüzade's father by one of those involved.

[23] Taş, i, 252; Mecdî, 183 (see also Abdülhak Adnan-Adıvar, 'Ali Kuşçu' in *İA*). Babinger, *Mahomet II*, 591.

[24] *OM*, i, 293 (cf. Uzunçarşılı, *OT*, ii, 653).

thus be unreasonable to suppose that Molla Hüsrev wrote the copy especially for Mehmed II, this in turn suggesting that by 878 Molla Hüsrev had made up his quarrel with the sultan and had perhaps returned to Istanbul.

Doubt is cast upon Bursalı Mehmed Tahir's statement, however, by the fact that in the concluding lines of what appears to be another autograph manuscript of the same work, Molla Hüsrev remarks that he finished the composition of it (*ta'lîfihi*: the *-hi* certainly refers to the work, not the manuscript) on Saturday 2 Jumādā I 883/Saturday 1 August 1478, having begun it on Saturday 12 Dhu 'l-Ḳa'da 877/Saturday 10 April 1473.[25] If it is nevertheless the case that Molla Hüsrev presented this work, a part of it, or another work to Mehmed II in 878, the point made above would hold good. One might mention in connection with the *Durar* that el-Kefevî explicitly associates its composition with Molla Hüsrev's stay in Bursa.[26] It will be noted that the date of the commencement of the composition of the work fits nicely with the conclusion reached above about the probable date of Molla Hüsrev's departure for Bursa, but it would perhaps be dangerous to draw from el-Kefevî's assertion the conclusion that Molla Hüsrev was still in Bursa in 883/1478.

Before leaving the question of Molla Hüsrev's Müftilik it must be pointed out that further documentary evidence calls in question one element of the *Shaḳā'iḳ* account, namely the assertion that Molla Hüsrev built his medrese on going to Bursa after his falling-out with Mehmed II. One finds in Barkan/Ayverdi a summary of Molla Hüsrev's *vakfiye* for several *masjids* (*mescid*) in Istanbul, dated Rabī' I 870/October–November 1465,[27] amongst the expenditures from which are several in connection with a medrese: 20 akçe a day for teaching (tedris), 16 akçe a day for the students and so on. The editors are in no doubt that this is in respect of Molla Hüsrev's medrese in Bursa (the involvement of the kadı of Bursa in the function of *naẓāra* (*nezaret*) is worth noting), which is in any case the only medrese he is known to have endowed. While the figures given presumably refer to the state of play in 953/1546–7, the note in the summary that the original salary for teaching was 15 akçe (*ber mûcib-i vakfiye 15*) and the reference to teaching in the section concerned with the stipulation(s) laid down by the founder (*şart-i vâkıf*) suggest that the medrese figured in the original *vakfiye*. Baltacı, noting the conflict between the fact that the medrese had apparently already been founded by 870 and the fact that Mecdî says that Molla Hüsrev did not go off to Bursa to found the medrese until 877, suggests that the *vakfiye* was written in anticipation of the actual building of the medrese.[28] While this is

[25] See Ünver, *Notları*, 89, which includes a photograph of the last leaf of Süleymaniye 445: cf. Ünver's summary, on the same page, of the concluding lines of Yenicami 422, and also, for example, Bodleian MS. Laud. Or. 285, f. 335a. See also Brockelmann, *GAL*, ii, 226–7; Babinger, 'Khosrew, Mollā' in *EI*[1], *EI*[2].

[26] *Katā'ib*, f. 352b.

[27] Barkan/Ayverdi, doc. 936.

[28] Baltacı, *O. Med.*, 313–14.

perhaps possible, it seems rather more likely that the *Shaḳā'iḳ* account needs to be modified in respect of this detail, that Molla Hüsrev went to Bursa to teach in his already existing medrese rather than to build, and then teach in, the medrese.

On the assumption that the *Shaḳā'iḳ* account of this event in Molla Hüsrev's life is at least broadly correct, however, and in the light of the documentary and such other evidence as exists, it would appear that he left for Bursa not earlier than Rajab 876 nor later than Shawwāl 877 and returned to become Müfti perhaps as early as 878/1473–4. One may now reconsider the evidence about the death of Fahreddin Acemî since it is common ground amongst the writers connected with the later tradition that Molla Hüsrev succeeded Fahreddin Acemî as Müfti. The various dates given for Fahreddin Acemî's death have been noted in the previous chapter, namely: 865/1460–1 (the writers connected with the traditional view); 870 (Mecdî, two manuscripts of the *Anonymous Chronicle*); and 20 December 1468 (4 Jumādā II 873) (Babinger). Unfortunately, there appears to be no way of choosing with any confidence amongst these dates: if 870 recommends itself on the grounds that there is relatively early authority for it, for example, the remarkable preciseness of Babinger's unsupported date in 873 cannot be ignored.[29]

The only clues in the biographical sources which may give some positive result relative to the death date of Fahreddin Acemî arise from the statement in Taşköprüzade's article on him that Molla Ali Tûsî visited him on his death-bed and heard his last wishes. It is known from the account of Ali Tûsî's life in the *Shaḳā'iḳ*[30] that while müderris at the Üç Şerefeli medrese in Edirne with a salary of 100 akçe a day, he was ordered by Mehmed II to compete with Hocazade, then müderris at the Zeyrek medrese in Istanbul, in writing a *muḥākama* (*muhakeme*) between al-Ghazālī's *Tahāfut al-falāsifa* and the philosophers. Having lost out to Hocazade in the competition, Ali Tûsî left the Ottoman lands, apparently permanently, going first to Tabriz, then on to Transoxania and dying in Samarkand on 7 Ramaḍān 887/20 October 1482. On Ali Tûsî's departure for Persia, Mehmed II built another medrese beside the Üç Şerefeli medrese and divided the 100 akçe salary Ali Tûsî had received equally between the müderrises of the old and new medreses.[31]

[29] For reasons which he does not disclose, Gökbilgin dismisses both 870 and 873 (*EPL*, 31, n. 119; idem, 'Edirne şehrinin kuruculari' in *Edirne*, 174). His assertion that no death date is given in the *Shaḳā'iḳ* needs to be modified in the light of Mecdî's statement in his biography of Abdülkerim.

[30] Taş, i, 158–62; Mecdî, 117–20: see also Kâtib Çelebi, *KZ*, i, 513. The fact that Hocazade was at the Zeyrek medrese is on Taş, i, 205; Mecdî, 149.

[31] Taşköprüzade subsequently speaks of the Üç Şerefeli medreses as *al-madrasatayn al-mutajāwiratayn*. A *muhasebe* in Gökbilgin's *EPL* (pp. 213–16, especially p. 215) for the Üç Şerefeli mosque (*cami-i cedid*) for the year 1 Rabī' II 895 to 30 Rabī' I 896 (22 February 1490 to 10 February 1491) shows the two medreses as *medrese-i atik* and *medrese-i cedid*, the müderris of each receiving 50 akçe. The medrese of Murad II was commonly called the Saatli medrese, that of Mehmed II the Peykler or Çifte medrese

Should the date of Ali Tûsî's leaving for Persia be shown to have fallen before 870/1465–6, it would, of course, dispose of Mecdî's dating (and 873) and be an argument in favour of the earlier date, on the assumption that the story about Ali Tûsî's visiting Fahreddin Acemî on his deathbed is true. Despite the relatively large amount of specific and varied information given in the article on Ali Tûsî, however, it is impossible on present evidence to date precisely his departure for Persia. The dates of composition of both Hocazade's and Ali Tûsî's works on the *Tahâfut* seem to be unknown,[32] and there does not appear to be any evidence which would enable one to date the foundation of Mehmed II's addition to the Üç Şerefeli medrese.[33] On only one point is there evidence which would seem to give some basis for dating the competition, namely a marginal note in Mecdî's article on Hocazade which states that the latter was kadı of Edirne—the position to which he went after holding the professorship of the Zeyrek medrese—in 871/1466–7, 'a few documents (*temessük*) written by him' having been seen.[34] It may therefore be that 871/1466–7 represents a *terminus ante quem* for the death of Fahreddin Acemî, provided that the various facts given in the *Shaḳā'iḳ* are correct and that Ali Tûsî's departure for Persia followed reasonably closely upon his defeat by Hocazade in the competition, which seems to be the implication in the *Shaḳā'iḳ*. One must emphasize, however, that this chain of evidence is forged from a number of very uncertain links and that one cannot lightly dismiss in its favour, for example, Babinger's precise and circumstantial dating of Fahreddin Acemî's death.

Whatever the truth of the matter, however, it is enough for present purposes to note that the latest date given in any of the sources is 873/1468 and that there thus appears to be a gap of at least five years between the death

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(Gökbilgin, 'Tarihler', 94; see also Baltacı, *O. Med.*, 450 et sqq.).

[32] In the work *İstanbul kütüphanelerinde Fâtih'in hususî kütüphanesine ve Fâtih çağı müelliflerine ait eserler*, İstanbul Üniversitesi yayınları, no. 549, Istanbul, 1953, 56–7, four MSS. of Hocazade's *Tahâfut* in the Istanbul libraries are listed. Only two are dated, and both dates are too late to be of any help in solving the present problem. No MSS. of Ali Tûsî's work (for which see Kâtib Çelebi, *KZ*, i, 513, 825) are listed. Dr. Mubahat Türker has used three MSS. of Hocazade's work different from those listed in the above book. None seems to be dated, however, although one (Süleymaniye–Şehit Ali Paşa 1583) is in the author's own hand (*Üç Tehâfut bakımından felsefe ve din münasebeti*, Ankara, 1956, 54–6).

[33] Baltacı (*O. Med.*, 450–1) writes that the date of the founding of the second medrese is not known but that it must have been built after the building of the Sahn (completed 875/1470), an assertion apparently based on Mecdî's statement (pp. 117–18) that Ali Tûsî went from the Sahn to the Üç Şerefeli. Information in other biographies (e.g. the fact, mentioned below, that Hocazade may well already have become kadı of Edirne by 871/1466–7) renders this statement unlikely, at least if the purpose-built Sahn as distinct from the pre-Sahn medreses converted from churches is intended; but the issue is immensely complicated and not susceptible of an easy solution.

[34] Mecdî, 149; Hibrî, f. 47b. İsmail Beliğ (p. 269) writes that Hocazade succeeded Molla Kestelli as kadı of Edirne in that year, but it must be noted that his account of Hocazade's career is generally less than satisfactory.

of Fahreddin Acemî and the accession of Molla Hüsrev to the Müftilik.[35] It seems entirely possible that it is to this period—roughly from 873/1468 (or perhaps earlier) to 878/1473–4—that the Müftilik of Abdülkerim belongs, that he succeeded Fahreddin Acemî on the latter's death and must then later have resigned or been removed from the Müftilik, perhaps to make way for Molla Hüsrev when he returned from Bursa. Such a construction fits the few facts given in the early biographical sources and such facts as have emerged from the recently published documentary material in a way that the traditional account does not.

It thus appears that the formulators of the received tradition, with the exception of Müstakimzade (who nevertheless provides the basis for the view taken by the later authors), have, by ignoring clear statements in the sources which they themselves use in regard to Abdülkerim, placed themselves in an untenable position also in regard to the dating of the Müftiliks of both Molla Hüsrev and Molla Arab. It may be noted in passing that one of the results of their synthesis, here as in the case of Molla Yegân, is a certain idealizing of the early Müftilik in an important respect. One of the most significant and suggestive points about the early history of the office is that until late in the period under consideration nearly all the Müftis held the office until their deaths, that there were very few resignations or removals. The significance of this fact will be dealt with later; suffice it to say here that the effect of the listing arrived at by the formulators of the received tradition is to raise this perfectly acceptable and important generalization to the status of an unbroken rule, to smooth away all complications and to present a perfectly articulated chain of Müftis, all of whom remained in office until their deaths. There seem in fact, however, to be two exceptions to this general rule, namely Molla Yegân, who almost certainly resigned the office, and Abdülkerim, who must either have resigned or been removed from it if the facts given in the *Shaḳā'iḳ*—that he was appointed Müfti in the time of Mehmed II and died in the time of Bayezid II—[36] are correct. As noted in the previous chapter, Müstakimzade positively rejects the Müftilik of Molla Yegân, and the later authors for the most part simply ignore him. In the case of Abdülkerim, Müstakimzade takes refuge in vagueness, seemingly even questioning Abdülkerim's claim to the Müftilik, while the other authors ignore one set of facts in the early sources, those concerning the period of his Müftilik, and choose rather to link his Müftilik with another fact also mentioned in the early sources, that concerning his death. In doing so they

[35] It may be noted that this runs counter to the statement not only of the traditional account but also of Babinger (cf. Chapter III, n. 129) that Fahreddin Acemî was succeeded by Molla Hüsrev. One does not know whether Babinger's assertion rests on a credible statement in an early source or is merely an assumption based on the traditional account.

[36] The bare statement in Taşköprüzade that he died in the reign of Bayezid II is supported by a story in Mecdî's *tezyil* (p. 178) to the effect that when, in Bazeyid's reign, the incumbent Müfti proved incapable of answering a certain problem, Bayezid ordered that it be put to Abdülkerim, who succeeded in answering it.

appear to have been guilty of idealizing the origins and early development of an institution which was in later times vastly important but which was, at least in this particular respect, rather less than ideal.

One may summarize the conclusions reached with respect to, and within the terms of, the traditional account of the Müftilik as follows:

(a) that Fahreddin Acemî remained as Müfti, whether in Edirne or Istanbul,[37] until his death, which occurred probably not later than 873/1468;
(b) that he was succeeded by Abdülkerim, who seems likely to have resigned or been removed about 878/1473–4;
(c) that Molla Hüsrev succeeded to the office about 878/1473–4 and held it until his death in 885/1480–1;
(d) that he was succeeded by Molla Gürânî in 885/1480–1 (but cf. below, pp. 144–6, 150), who retained the office until his death in 893/1488; and
(e) that Molla Arab succeeded Molla Gürânî in that year and remained Müfti until his death in 901/1495–6.

It is important to emphasize that the discussion thus far has been developed, and the above conclusions have been reached, within the framework of the traditional account, which rests upon certain crucial assumptions common not only to the writers connected with the traditional account but to certain others not connected with the tradition as well. These assumptions may be summarized as follows:

(a) that the *Shaḳā'iḳ* account of how Molla Hüsrev came to the Müftilik is at least broadly correct;
(b) that the Müftilik passed in an uncomplicated manner from Fahreddin Acemî to the Müfti of Istanbul (though, as has been seen, there is a division of opinion over whether the latter was Abdülkerim or Molla Hüsrev);
(c) that Abdülkerim did hold the office of Müfti, that is, the Müftilik of Istanbul (though again there is disagreement about when he held it).

The basis of a very different view of the history of the Müftilik, however, from its origins to the end of the reign of Mehmed II, is laid by Kâtib Çelebi in the form of a cryptic list of Şeyhülislâms (*cetvel-i meşâyih-i İslâm*) in his *Takwīm al-tawārīkh*.[38] Though his list and its implications have been largely ignored by writers on the Müftilik, apart from a passing nod from Müstakimzade, his view was adopted directly, indirectly or independently by

[37] Mecdî (p. 83) states unequivocally that he died in Edirne, though it may be noted that this is an amplification, conscious or otherwise, of Taşköprüzade's ambiguous

ثم مات ودفن بمدينة ادرنه

As noted above (Chapter III, n. 129), Babinger asserts that he died in Istanbul, but again he gives no evidence for this statement.

[38] Kâtib Çelebi, *Takvim*, 182–6.

Hezârfen, d'Ohsson and Hammer, and echoes of it are occasionally found in other authors. The list, as given in the *Takvim*, extends well beyond the period under discussion, indeed well beyond Kâtib Çelebi's own death, to the 1140s/1730s, but the only controversial part of immediate concern is the very beginning, which runs as follows:

> Hızır Bey ibn Celâl. On the conquest of Istanbul, the office of Müfti was made an adjunct to the kadılık (*kazaya fetva zamime kılınmıştı*). He died in 863.
> Molla Hüsrev, Mehmed ibn Feramez [*sic*].[39] He united [the Müftilik] with the kadılık until 877. Then the Müftilik (*fetva*) was made an adjunct to the teaching of Molla Arab. The chronogram for the death of Molla Hüsrev is *māta ra'īs al-'ulamā[']* [885].
> Molla Abdülkerim. He became Müfti in Edirne and died in [8]79.
> Molla Ali el-Arabî. While müderris at the Sahn, the Müftilik (*fetva*) was made an adjunct, and he taught and gave fetvas. Molla Hüsrev became solely [Müfti] (*müstakil olup*) for a second time and continued until he died in [8]85.
> Molla Gürânî Ahmed ibn İsmail continued until his death in 893.
> Molla Ali el-Arabî became solely [Müfti] for the second time and died in 901.

Hezârfen, in his listing of the Şeyhülislâms,[40] as distinct from his discussion of the history of the office where he takes a slightly different view, departs significantly in only one respect from Kâtib Çelebi (at least in so far as can be judged from the one manuscript), namely in his treatment of Abdülkerim and Molla Arab. He writes:

> [Molla Hüsrev] united [the Müftilik] with the kadılık until 8-1 [*sekiz bir*: the text is clearly corrupt]. Then the Müftilik (*fetva*) was made an adjunct to Molla Arab, müderris.
> Molla Abdülkerim. He became Müfti in Edirne and died in 879. In his place [came]
> Molla Ali el-Arabî. While müderris at the Sahn, the Müftilik (*fetva*) was made an adjunct, and he gave fetvas together with his teaching.
> Molla Hüsrev became solely [Müfti] for a second time ...

The most developed exposition of what might be called the Kâtib Çelebi view is to be found in d'Ohsson, who writes:

> Ces trois premiers *Mouphtys* de la Capitale [i.e. Molla Edebâlî, Tursun Fakih and Fahreddin Acemî], ainsi que leurs successeurs immédiats, n'eurent jamais qu'une priorité de rang sur ceux des provinces. Mais à l'époque de la conquête de Constantinople en 1453, *Mohammed II* ... créa dans la même année *Mouphty* et *Cady* de cette nouvelle Capitale le célèbre *Djèlal-zadé Khidir-Bey-Tschélèby*: il le

[39] The father's name is given in the more usual form Ferâmerz in ibid., 208. For the variant Ferâmûz, see Ünver, *Fatih, külliyesi*, 9, n. 2; idem, *Notları*, 88–90.

[40] Hezârfen, ff. 129a–132b: cf. below, p. 143.

> décora même du titre pompeux de *Scheïkh'ul-Islam*, qui veut dire l'*ancien* ou le *Sénieur de l'Islamisme*,[41] et lui donna, entr'autres prérogatives, une juridiction assez étendue sur tous les *Mouphtys* des provinces. Ce fut là l'origine de cette grandeur à laquelle s'élevèrent insensiblement les *Scheïkh'ul-Islams*.
>
> *Khidir-Bey-Tschélébу*, mort en 1459, eut pour successeur *Féramourz -zadé Khoussrew Mohammed Efendy* qui réunit à la dignité de *Mouphty* la magistrature de Constantinople, celle de *Ghalata* et de *Scutari*, et l'office de *Muderriss* de sainte Sophie. ... Des raisons particulières l'obligèrent à donner sa démission en 1472; et alors *Mohammed II*, séparant les deux charges de *Mouphty* et de *Cady*, déféra la première à *Abd'ul-Kérim Efendy*.[42]

Taking a basically similar view, Hammer writes:

> La dignité de premier moufti fut conférée, après la prise de Constantinople, au juge de la nouvelle capitale, Djelalzadé Kizrbeg Tschelebi; par la suite elle tomba en partage au juge d'Andrinople, Abdoulkérim, et enfin à un mouderris ou recteur d'une haute école, Ali-al-Arabi.[43]

The view for which Kâtib Çelebi's list forms the basis thus differs, broadly, in two important respects from the traditional account based on Müstakimzade: first, on the question of the origins of the office, by naming Hızır Bey, in Istanbul, as the first Müfti and by implication denying the Müftiliks of Molla Fenârî, Molla Yegân and Fahreddin Acemî (though d'Ohsson does make some attempt, if an inaccurate and and unpersuasive one, to take account of the tradition of an earlier Müftilik); and second, on the question of how and when Molla Hüsrev became Müfti, this question involving also the circumstances of the Müftiliks of Abdülkerim and Molla Arab. On this latter point it may be noted that the Kâtib Çelebi view runs counter to all three basic assumptions lying behind the 'traditional' Müstakimzade view, as summarized above.

Taking the question of the origins of the office first, one may adduce one important piece of negative evidence against the claim that Hızır Bey became Müfti of Istanbul, namely the fact that, with one possible exception, none of the important Turkish sources relative to the ulema in general—including Kâtib Çelebi himself, in his *Sullam al-wuṣūl*—or to the Müftilik in particular mentions that Hızır Bey became Müfti of Istanbul, although such as deal with his career are agreed that he became kadı of Istanbul at the conquest.[44]

[41] It is perhaps at this statement of d'Ohsson's that Kramers' remark, quoted in Chapter III, n. 171, is aimed.

[42] d'Ohsson, iv, 498–9.

[43] Hammer, *Histoire*, iii, 310–11. I can find no basis for the statement that Abdülkerim held the kadılık of Edirne.

[44] For Hızır Bey, see al-Sakhāwī, *al-Ḍaw' al-lāmi'*, iii, 178 (which has very few points of contact with the Ottoman sources, however); Taş, i, 151–5; Mecdî, 111–14; *Katā'ib*, ff. 353a–354b; Sa'deddin, ii, 449–52; Âli, v, 229–32; Kâtib Çelebi, *Sullam*, f. 89b; Sehî,

There is nothing in any of the standard sources to suggest that the undoubted eminence Hızır Bey enjoyed in the last years of his life derived from anything other than his excellence in *ilm* and his position as kadı of the newly conquered city.[45]

The one important possible exception to the general silence of the Turkish biographical sources on the Müftilik of Hızır Bey is the account of Müstakimzade. One can say only a possible exception since Müstakimzade is extremely guarded in his treatment of Hızır Bey. He appends to his article on Molla Hüsrev a brief notice of the life of Hızır Bey, introduced by the phrase *al-shay' bi-'l-shay' yudhkaru* ('one thing calls to mind another'), a phrase with which he later introduces his account of Şeyh Abdülkerim, the holder of an *ad hominem* müftilik in the reign of Süleyman.[46] Unlike the passages on Şeyh Abdülkerim, Molla Abdülkerim or Molla Yegân, however, about all of whom Müstakimzade has some sort of reservation, this passage on Hızır Bey contains no reference to *fatwā* or any derivation of it; and it would seem from his particular vagueness in relation to Hızır Bey and his failure to accord him a separate article that while he is aware of the claim that Hızır Bey became Müfti, he is unsure of his relationship to the main stream of Müftis and probably regards him as not having been part of it.

Telling though the silence of the majority of the Turkish sources is, however, it is neither possible nor necessary to reject outright the assertion of Kâtib Çelebi and those who follow him that Hızır Bey was in some sense müfti of Istanbul. It is not at all unlikely that at the conquest, Mehmed II

39–40; and Âşık Çelebi, f. 268a. The latter is cited in Mecdî's *tezyil* (p. 114), as is Latîfî (in which see pp. 145–6): Hızır Bey is mentioned in both only briefly in an article on his grandson, Khiḍr Bey b. Aḥmad Pasha (*makhlaṣ*/*mahlas*: Khiḍirī), and the line said by Mecdî to be quoted by Latîfî does not appear in the published text of the latter. See also Ayvansarayı, *Hadikat*, i, 85–7; *SO*, ii, 277; *OM*, i, 290; Babinger, 'Khiḍr Beg' in *EI*[1]; and J. R. Walsh, 'Khiḍr Beg' in *EI*[2]. One nineteenth-century author, Seyyid Mustafa, in a brief and uninformative note on the development of the early Müftilik, does say that in the time of Mehmed II the Şeyhülislâmlık became an *ilâve-i memuriyet* to Hızır Bey, the kadı of Istanbul (Muṣṭafā Nūrī Pasha, *Natā'ij al-vuḳū'āt*, 2nd edn., 4 vols. in 1, Istanbul, 1327, i, 114); while among the very recent writers, Erk (p. 40) accepts Kâtib Çelebi's claim that Hızır Bey was the 'first Şeyhülislâm of Istanbul'.

[45] One might note in this connection that the kaza of Kadıköy in Istanbul is so called because of Hızır Bey's extensive holdings in that area (Babinger, 'Khiḍr Beg' in *EI*[1]).

An inscription on Hızır Bey's tombstone (apparently not the original, but believed to have been renewed in Süleyman's time) contains the curious phrase

مفتی ایران زمین مشکل کشای

('müfti of Persia, solver of difficulties') (F. İsmail Ayanoğlu, 'Fatih Devri Ricali Mezar Taşları ve Kitabeleri', *Vakıflar Dergisi*, iv (1958), 196–7). The fact that this line (as well as the one that precedes it) is also used in a chronogram for the death of Molla Khiḍr Shāh (d. 853/1449: Taş, i, 156–7; Mecdî, 115–16, the chronogram being given in Mecdî's *tezyil*), who seems not to have been a müfti, at least in any official sense, and concerning whom the phrase *müfti-i İran zemin* seems equally inappropriate, suggests that the line may be a standard phrase in epitaphs without any literal significance.

[46] Müstakimzade, ff. 4a, 7a. See also below, pp. 222–3.

appointed someone müfti in the newly conquered city; and since the sources seem not to mention the appointment of anyone else to the post, it may possibly be that it was made an *ilâve-i memuriyet* for Hızır Bey.[47] Such an interpretation is not inconsistent with Kâtib Çelebi's brief account, particularly if it is remembered that by his time the Şeyhülislâm had long since been the Müfti of Istanbul and that he may therefore have concerned himself with trying to sketch the history of the office only in so far as it related to that city. If it is the case that Hızır Bey did indeed hold a müftilik—that, in effect, Fahreddin Acemî was Müfti in Edirne while Hızır Bey was müfti in Istanbul—the situation might constitute a parallel to the earlier one of the possibly overlapping tenures of Molla Yegân in Bursa and Fahreddin Acemî in Edirne.

One must, however, question d'Ohsson's and Hammer's statements that Hızır Bey became the premier Müfti, and, as is explicit in d'Ohsson and implicit in Hammer, that it is in his time that the office of Müfti originated or at least first gained importance. If the müftilik of Hızır Bey is to be understood in this sense, that he became in fact *the* Müfti, the silence of the great majority of Turkish sources is surely extraordinary. It is perhaps possible that they might fail to mention that a purely functional müftilik had been made an *ilâve-i memuriyet* for Hızır Bey; but it seems unlikely in the extreme that they should fail to mention his having held a post which, as has been suggested in the previous chapter, was already one of great prestige and which, by Taşköprüzade's time less than a century later, was certainly one of considerable power.

There is, moreover, one piece of evidence which appears to put beyond question the pre-eminence of Fahreddin Acemî in the period following the conquest, namely the circumcision celebration for Mehmed II's two sons, held in Edirne in 861/1457, to which reference has already been made in the previous chapter. It was suggested there that the fact that Fahreddin Acemî was seated in the place of honour, at the sultan's right hand, indicated the pre-eminence of the Müfti at least in matters related to *ilm*. More important in the present connection, however, is the fact that one of those sitting in a seat of lesser importance, facing the sultan, was Hızır Bey. If Hızır Bey held a müftilik in Istanbul at all, then—and this is by no means certain—the reasonable conclusion both from the silence of the great majority of Turkish sources on the subject of Hızır Bey's müftilik and from the evidence indicating Fahreddin Acemî's pre-eminence *vis-à-vis* Hızır Bey is that the claims made by d'Ohsson and Hammer for Hızır Bey's importance in his capacity as müfti are at the least exaggerated.

Much the same line of argument applies to the further assertion by Kâtib Çelebi and those who follow him that Molla Hüsrev succeeded Hızır Bey as

[47] This statement assumes, of course, that Fahreddin Acemî himself remained in Edirne, an assumption based on the fact that Mecdî explicitly states that he died there and that there seems to be nothing to connect him with Istanbul after the conquest: cf. above, n. 37.

Müfti.[48] If one accepts the statement that Hızır Bey was müfti in Istanbul, then it is natural to suppose that Molla Hüsrev succeeded him; but as with Hızır Bey, so with Molla Hüsrev, there is no positive evidence, nor even any suggestive indication, that Molla Hüsrev was in any sense Müfti before his return from Bursa: there is nothing, in short, to suggest that he became Müfti in any way other than that reported by the *Shaḳā'iḳ*.

As noted above, there is a measure of agreement between the *Shaḳā'iḳ* account (particularly Mecdî) and Kâtib Çelebi that the year 877 marks a break in Molla Hüsrev's career. According to the considerably modified 'traditional' account outlined above, Abdülkerim would, of course, have been Müfti both before and after this break, from Fahreddin Acemî's death until Molla Hüsrev's return from Bursa to assume the office. The treatment of Abdülkerim by Kâtib Çelebi and his followers is consistent (and interesting) in so far as they rightly, one believes, place his Müftilik in the time of Mehmed II, in accordance with the *Shaḳā'iḳ* and as opposed to the view of the unmodified traditional account; but on the assumption that the available texts of Kâtib Çelebi and Hezârfen are accurate, the writers connected with the Kâtib Çelebi view appear to differ amongst themselves about the nature and timing of his Müftilik, possibly because Kâtib Çelebi's list is particularly cryptic and, at first sight, confused at this point. Having noted that Molla Hüsrev held the combined posts until 877, Kâtib Çelebi then asserts first that the office of Müfti was made an adjunct to Molla Arab's teaching at the Sahn; second, he unaccountably inserts a chronogram for Molla Hüsrev's death; third, he makes the unadorned and apparently irrelevant statement that Abdülkerim was Müfti in Edirne and died in 879; and fourth, he returns to Molla Arab,[49] essentially repeating what he has already said. In what appears to be an attempt to make sense of this, Hezârfen adds *yerine* ('in his place') between steps three and four so that it appears in his account that Molla Arab succeeded Abdülkerim. This interpretation—in essence, that Abdülkerim succeeded Molla Hüsrev and Molla Arab succeeded Abdülkerim—in fact conflicts with Kâtib Çelebi's first assertion (which Hezârfen also includes) but appears none the less to have been adopted, directly or not, by both d'Ohsson and Hammer. A more obvious interpretation, however, is that Kâtib Çelebi's apparently irrelevant statement about Abdülkerim is very much to the point, that he is aware of Mecdî's assertion that Abdülkerim was

[48] See also Baldırzade (whose work was completed one year after the *Takvim*), who writes in his biography of Molla Hüsrev: 'Some have said: "The office of müfti (*fetva*) also became an adjunct [to his other offices, i.e. the various kadılıks to which he succeeded on Hızır Bey's death]."' (f. 85a.) Baldırzade does not include a biography of Hızır Bey, who died and was buried in Istanbul.

[49] Kâtib Çelebi refers to him on this second occasion as 'Molla Ali el-Arabî'. Whether this is a source of confusion—in other words, whether 'Molla Arab' and 'Molla Ali el-Arabî' were thought by Hezârfen to be different men, which supposition might explain the conflict within his account noted just below—is impossible to say, but there is little doubt that the two names refer to one and the same man.

Müfti in Istanbul and is contradicting it, saying rather that Molla Arab succeeded Molla Hüsrev in Istanbul and that Abdülkerim was Müfti in Edirne, not Istanbul, and has nothing to do with the matter.

One may deal briefly with Molla Arab's supposed first period of office as Müfti, simply saying that there appears to be no more evidence for it than for the rest of Kâtib Çelebi's construction of the facts concerning the history of the office in the early years, which is not, however, to say that the statement (or the construction, for that matter) may be dismissed entirely (cf. below, n. 166, for example). It is not impossible, for example, that Abdülkerim and Molla Arab served successively as Müfti in the years between Fahreddin Acemî's death and Molla Hüsrev's return from Bursa. Kâtib Çelebi's assertion that Abdülkerim was Müfti in Edirne, however, adds yet another unknown to an already difficult set of equations since it suggests the possibility that there may have been a separate official müftilik in Edirne (and perhaps by extension in Bursa) concurrently with the Müftilik of Istanbul—this would run contrary to the underlying assumption of the traditional view that the Müfti was the Müfti of the capital, successively Bursa, Edirne and Istanbul—some of the holders of which may have become, with the passage of time, confused with the holders of the Müftilik of Istanbul. Hezârfen, in a later passage than his list of Müftis, where he essentially simply follows Kâtib Çelebi, is explicit on the point of separate müftiliks, though perhaps vague on the point of how official they were, saying:

> Until the end of the reign of Mehmed II there was not all that much glory and renown in the office of Müfti (*makam-i fetva*); dignity and regard were for the most part dependent upon the person [who held it]. It is even related that Molla Tusî combined the Müftilik with teaching at the Sahn. In that time the ulema of the three cities gave fetvas on an equal basis (*alesseviye*). In Bursa, Şeyh Mehmed-i Cezerî and Şemseddîn Fenârî and Molla Yegâne [*sic*] and his son Yûsuf Bâli and Bahâeddin Ömer and Yâr-Alî-i Şirâzî and Hoca-zâde and Hüsâm-zâde and Alî Çelebi and Müftî Ahmed Paşa gave fetvas as far as the year 929 [1522–3]; in Edirne, Molla Haydar-i Acemî and the aforementioned Molla Fahreddîn and Molla Abdülkerîm and Ümm Veled [gave fetvas]; and Molla Gürânî and Molla Alî-i Arabî and [Ali] Cemâlî became independent müftis in Istanbul ...[50]

It is difficult to be certain from the passage whether Hezârfen believes there to have been official müftiliks at all in the fifteenth century, but he is clear on the point that the arrangements for *iftā'*, whether formal or informal, were similar in the three cities.

That the immediate jurisdiction of the Müfti of Istanbul extended also to both Edirne and Bursa appears to have been true for much of the history of

[50] Hezârfen, f. 136a; Hezârfen/Anhegger, 390: I have followed Anhegger's rendering of the personal names. The division between the müftis in Edirne and in Istanbul is not made clear in the text but appears to be as in the translation.

the office,[51] but information both in the biographical sources and in documents in the case of Bursa, though in but two documents in the case of Edirne, indicates that matters were not always thus. Perhaps the most interesting and instructive bit of documentary evidence which bears on the point comes in a letter from Molla Gürânî to the divan:[52] the letter is undated but clearly belongs to the period of his Müftilik, traditionally dated from 885/1480 to 893/1488. Though only one of several matters of interest which arise from the document concerns the present argument, it will be useful to include here a translation of the entire document (a facsimile is given in Appendix II), to which reference may then also be made at the appropriate places in other contexts. The interpretation of the document is made somewhat difficult not only by the usual problems of context, allusion and technical terminology which may arise with any isolated document but also by the fact that the letter is written in idiosyncratic Ottoman so that one does not always have the usual safety nets of grammar and syntax to catch one. It seems possible that the unexpectedly unliterary Ottoman may result partly from Molla Gürânî's obvious sense of outrage and perhaps partly from the fact that he was thirty or more by the time he came to the Ottoman lands: in all probability he knew no Turkish before he came, and may well even thereafter have had only very limited need to write at any length in Turkish. In any case, the letter may be translated as follows:

> Illustrious pashas:
>
> Pillars of the all-powerful state, springs of surpassing felicity, source of ordinances which spread blessings—may God perpetuate them [i.e. you] for the order of the world and the Faith. After salutation more fragrant than the zephyr, more palatable than Tesnim: it is not hidden from [your] illustrious excellencies that when Hüsrev Allah [Molla Hüsrev] died [885/1480], Sultan Mehmed [II] was very insistent with me to the end that I should give fetvas. I did not undertake [the job]. In the end, after [further] importunings, I said to that abomination who was vezir [Karamanî Mehmed Paşa, Grand Vezir 882–6/1477–81, the last four years of Mehmed II's reign, who was greatly disliked by the ulema, particularly for the practice of converting *evkaf* and *emlak* into timars]: 'What have you to do with fetvas, which are proof texts from the Koran? You do not give [the inheritance] to the heir nor the legacy to the legatee.' I did not undertake [the job]. Later, when God the Exalted—when the imperial Shadow of God, our padişah [Bayezid II]—may his reign be

[51] Gibb/Bowen, i/2, 135, n. 3.

[52] TS/E5429, described in the archive catalogue as 'a letter from Molla Gürânî to the *kubbe* vezirs'. I am most grateful to the authorities of the Topkapı Sarayı Museum for allowing me to reproduce the document.

For two other communications sent by Molla Gürânî while Müfti, in this case to the sultan, see M. Tayyib Gökbilgin, 'Molla Gürânî ve pâdîşaha sunduğu yazılar' in Gy. Káldy-Nagy (ed.), *The Muslim East: Studies in Honour of Julius Germanus*, Budapest, 1974, 75–83 (first two documents).

made eternal—occupied the throne of felicity [Rabī' I 886/May 1481], he put down wrongful acts and suppressed the effects of innovations. The two kazaskers sent a man to me to say: 'His most high Excellency—may God exalt his station—has decreed the office of Müfti [for you].' I said: 'Ghazzālī [*sic*] has said in the *Iḥyā'*: "The condition for the müfti is this, that he should guard against [finding] ten [different possible] meanings."[53] But an order of the padişah is to be obeyed. I accept. Success comes from God.' They said: 'If [you] agree to putting müftis in Bursa and Edirne, let's put them there.' The implication was that they were deferring to me; I said; 'It is permissible.'

Now that atheist, ignorant Varsak [a tribe in east central Anatolia] gives fetvas independently. It should be known to you about him that my calling him 'Varsak' is not figurative. His father was a Varsak and came to Edirne. This wretch disowned him, and his father went off weeping. All the men of *ilm* know this. There is the *ḥadīth* in Bukhārī that 'Whoso traces his ancestry to other than his own father, Paradise is forbidden to him.' Now the Varsak, when he became *muid* at the Darülhadis in Edirne, delivered an elegy over the Persian subverter of the Faith.[54] He is well known amongst the people [for this]. Later he became müderris in Manisa with 10 akçe [a day]. At the time they brought Ali Kuşçu from Samarkand [see above, pp. 131–2] for the purpose of [spreading] unbelief and philosophy, they brought the Varsak for the purpose of [spreading] unbelief and heresy. Now he is the veritable şeyh of heresy and instructs the common people in the basic principles [of Sufism ?] and the means of spiritual conversion [to Sufism ?].[55]

Now it was one of this man's fetvas that the kadı of Istanbul sent me. He had marked a mistake of his in the margin and complained of

[53] I am uncertain of the translation of this quotation, having been unable to trace in the *Iḥyā'* the passage which gives rise to Molla Gürânî's elliptical Turkish version. The most promising passages in Bousquet's summary of the *Iḥyā'* (G.-H. Bousquet, *Ih'ya ou Vivification des sciences de la foi, analyse et index*, Paris, 1955) are on pp. 24, 37 and 287–8; but while reference to the original (al-Ghazālī, *Iḥyā' 'ulūm al-dīn*, 4 parts in 2 vols., Cairo, 1306/1888, i, 14, 57–8; iii, 246–50) shows Molla Gürânî's version, as translated, to be in keeping with al-Ghazālī's general strictures, notably that one should not undertake *iftā'* unless one is positive of the proper answer, there appears to be nothing in these passages, at least, which would specifically suggest Molla Gürânî's wording. (The number ten does in fact occur, in a passage relating that Ibn 'Umar, when asked ten problems, would answer one and keep silent about the rest, whereas Ibn 'Abbās would do just the opposite: i, 57.)

[54] I have taken *Acem Kâsım-i İslâm* thus rather than as a personal name (though it is entirely possible that it involves a pun on a personal name). It is just conceivable that the person in question is the Ḥurūfī who caused such difficulties in Edirne in the summer of 1444 (see above, p. 109), but this is pure conjecture.

[55] The use of *şeyh-i ilhâd* and the pejorative use of *tövbe* (for the Sufi meaning of which see R. A. Nicholson, 'Tawba' in *EI*[1]) suggest that the Varsak was a Sufi (see further, below, pp. 178–9, 186). I have been unable to discover any specifically Sufi associations for *talḳīn*/*telkin*, however.

his ignorance, saying: 'He writes endless nonsense like this.' Compare this [as an example of his incompetence], that in a matter to do with transmission of testimony[56] it was said: 'Let him see to it together with the kadı.' They sat down to it for about a month, they met many times, [and still] he didn't grasp the problem. If the intention is this, that I should undertake the giving of fetvas, do you send a decree from the sultan that they forbid [him from doing so]. Moreover, the Varsak has taken books on *iftā'* from the *evkaf*. Let them take these from him and send them to me, otherwise I will not take pen to hand. Tell His Excellency: I shall not write fetvas now, not as long as no answer to this case which I have put forward comes to the kadı of the city. For the rest, may your state be permanent and perpetual.

Their [i.e. your] affectionate friend,

Gürânî.

There are a number of interesting points in the letter, of greater or lesser importance—the confirmation, for example, if any were needed, that by early in Bayezid II's reign there were two kazaskers; the fact that there was obviously a gap of some months between the death of Molla Hüsrev and the accession of Molla Gürânî (so despairing is one made by the elusiveness of the evidence about the Müftilik in this period that one is grateful for the clear evidence that there was an office of Müfti and that Molla Hüsrev and Molla Gürânî held it); the biographical material on the despised Varsak, who may well be Molla Arab (see below, pp. 178–9), and so on—some of which will be discussed later; but the point of immediate interest is Molla Gürânî's statement about the müftis of Bursa and Edirne. What can be accepted unhesitatingly on the basis of the letter is that there were, for however short a period, separate official müftiliks for these two cities. The form of the kazaskers' proposal, moreover, which has the ring of floating a new idea, strongly suggests that appointing müftis for Bursa and Edirne—this presumably very early in Bayezid II's reign, possibly within days or weeks of his accession—marked the introduction of a new practice, or, perhaps more strictly, the re-introduction of an old practice which had fallen into disuse when the Müftilik of the capital passed first from Bursa to Edirne, then from Edirne to Istanbul: in any case it seems certain that neither müftilik had been continuous, if only because of the extreme unlikelihood of all three müftiliks (Istanbul, Bursa and Edirne) falling vacant at the same time. In order to avoid possible confusion, it might be as well to make explicit here one's assumption that the Varsak who is complained of is not the müfti of Bursa or of Edirne, that the burden of Molla Gürânî's complaint is that while he had agreed to, and will tolerate, separate jurisdictions in Bursa and Edirne, he

[56] *Nakl-i şehadet* (*naḳl al-shahāda*), i. e. the transmission of testimony, in writing, by the kadı of one district to that of another. Schacht describes the process briefly, without using the term (*Introduction*, 194: 'If the defendant is absent ...'). For a number of fetvas relating to the practice, see Selle, 28–31.

will not tolerate someone operating independently within his own jurisdiction of Istanbul.

The implications of the letter, then, are that official müftiliks were created or re-created in Bursa and Edirne in or about 886/1481 and that the offices, if they had existed at all before that date (apart from the time when each city was the capital), had at the least not been continuous. In the case of Bursa, there is, interestingly, firm evidence in the biographical sources, supported by a few documents, of the existence of a probably continuous, certainly separate and official müftilik for about forty years, dating from early in the reign of Bayezid II. Taşköprüzade and Mecdî write that when Bayezid II came to the throne, he gave Hocazade the Sultan medrese in Bursa with a daily salary of 100 akçe, then the office of müfti in that city, and that Hocazade died as müfti there in 893/1488.[57] Others who held the office were Molla Muṣliḥ al-Dīn Muṣṭafā b. Molla Ḥusām (Hüsamzade), whose death date is not known but who is said to have died as müfti of Bursa and is known to have been alive in 893; Molla 'Alā' al-Dīn 'Alī al-Yegānī, who became müfti of Bursa with 80 akçe a day, this being his last-named post, and died in 909/1503–4; and Müfti Ahmed Paşa, who became müfti of Bursa with 100 akçe a day (plus, according to Mecdî, the income of a village near Bursa) and died almost certainly as such in 927/1521.[58] In the way of documents, one finds a congratulatory letter, undated and with no personal name, sent by the müfti of Bursa—almost certainly Müfti Ahmed Paşa—on the occasion of the conquest of Egypt (923/1517), and a record relating to a *vakıf* of Müfti Ahmed Paşa's showing him to be alive and müfti of Bursa in Dhu 'l-Ḳa'da 925/October–November 1519.[59] With Ahmed Paşa's death, however, the office appears either to have lost its importance or, more likely, to have disappeared, probably being absorbed into the Müftilik of Istanbul, since there seems to be no record of any scholar holding it after him. The information given in the *Shaḳā'iḳ* is not sufficiently detailed to enable one to say with certainty that the office was continuous from Hocazade through to Müfti Ahmed Paşa; but despite the fact that İsmail Beliğ gets caught up in a certain number of contradictions in attempting to show it to have been so,[60] there seems no real reason to doubt that it was.

To show it to have been continuous before Hocazade is a different matter, however. Hezârfen's list of müftis in the early period has already been commented upon to some extent (see Chapter III, n. 137), and one may note further not only that there must be some doubt about whether Bahaeddin Ömer and Yâr-Ali Şirazî, for example, were müftis in any official sense but

[57] Taş, i, 208–9, 219; Mecdî, 152, 158.

[58] Hüsamzade: Taş, i, 290–1; Mecdî, 206–7; *OM*, i, 275 (in the light of which the statement in *SO*, iv, 490, that he died in 860 is to be rejected). Ali el-Yegânî: Taş, i, 412–13; Mecdî, 295. Müfti Ahmed Paşa: Taş, i, 276–7; Mecdî, 197 (Hezârfen (above, p. 143) apparently means 929/1522–3 to be his death date).

[59] Feridun, i, 431–2; Gökbilgin, *EPL*, 391, (533).

[60] İsmail Beliğ, 269–70, 253, 278.

also, in connection with the present point, that there is in all likelihood some gap in time between the first six (except Yusuf Bâlî el-Yegânî?) and the last four scholars in Hezârfen's list of müftis of Bursa: though the death dates of Bahaeddin Ömer and Yâr-Ali Şirazî are not known, the two scholars are listed in the *Shaḳā'iḳ* under the ulema of Bayezid I, together with Molla Fenârî.[61] İsmail Beliğ, perhaps influenced by Hezârfen, names Yâr-Ali Şirazî as Hocazade's predecessor in the müftilik of Bursa,[62] but as it seems improbable that such can have been the case, the trail appears to come to a dead end.

The only real evidence that an office of müfti of Bursa may have existed between the resignation of Molla Yegân (844/1440–1 ?) and the accession of Hocazade to the post early in Bayezid II's reign occurs in Mecdî's *tezyil* to the biography of Molla Zeyrek. The body of the *Shaḳā'iḳ* account relates that when Molla Zeyrek was defeated in the disputation with Hocazade, as a result of which he lost his medrese to him, he retired to Bursa where he lived out his life on a pension given him by a sympathetic merchant, refusing a subsequent offer of a post from Mehmed II.[63] In his *tezyil*, however, Mecdî asserts on the evidence of certain trustworthy dependants of Molla Zeyrek's that at the end of his life he became müfti in Bursa with 100 akçe a day and died as such.[64] It is, unfortunately, difficult to know what to make of this statement since there appears to be no early reliable evidence for the date of Molla Zeyrek's death, while modern sources give dates as widely separated as 879/1474–5 and 912/1506–7 (see above, Chapter III, n. 109). If the former, and more likely, death date, or something approximating it, is correct, and if Mecdî is right about his becoming müfti of Bursa, then it would seem in the light of the other evidence that this was perhaps a one-off, *ad hominem*

[61] Taş, i, 98; Mecdî, 59. Yâr-Ali Şirazî is also listed by both Âşıkpaşazade and Neşrî with the scholars of the time of Bayezid I (Apz/Giese, 200; Neşrî: *Mx*, 232). *SO* (iv, 630) gives his death date as 833/1429–30 and says that Bahaeddin Ömer died in the time of Mehmed II (ii, 27). With respect to the latter, cf. also above, p. 87.

Virtually no facts about Yusuf Bâlî b. Molla Yegân—and none which would fix the period of his life—are given in the *Shaḳā'iḳ* (Taş, i, 140; Mecdî, 100, where he is listed under the ulema of Murad II) or Baldırzade (f. 105a), but İsmail Beliğ (p. 254) has rather more detail, writing, among other things, that he succeeded Hocazade as müderris at the Sultan medrese (though specifically not as müfti: cf. p. 270) on the latter's death in 893, from which he then went on to the Sahn. If İsmail Beliğ's facts are correct (cf. *HA*, ii, 562–3, where his death date is given as 895), he would have been much more closely related in age to his brother Ali (as above, n. 58), to whom he seems in career terms to have been slightly junior, than to his brother Mehmed Şah, with whom he is implicitly associated in the *Shaḳā'iḳ* and whose death date İsmail Beliğ gives as 857 (p. 254. Taş (i, 140), Mecdî (p. 100) and Baldırzade (f. 57a) give no dates for Mehmed Şah). Even if Yusuf Bâlî did hold the müftilik of Bursa, then—which not even İsmail Beliğ suggests—it seems most unlikely that he can have been the link between the earlier and the later group.

[62] İsmail Beliğ, 269. İsmail Beliğ appears not to have a biography of Yâr Ali Şirazî.

[63] Taş, i, 196; Mecdî, 144–5.

[64] It is perhaps worth noting that İsmail Beliğ (pp. 271–2) is uncharacteristically restrained in reporting this statement, following it with the formula *al-'ilm 'inda Allāh ta'ālā*.

appointment. It is tempting to speculate, however, whether Molla Zeyrek may not have lived on into Bayezid II's reign and have accepted from him an appointment he would not accept from his father, thus preceding Hocazade in the office.

While one therefore finds a fair amount of information relative to the müftilik of Bursa, evidence for the existence of a müftilik of Edirne has proved very hard to come by. From the biographical sources it would appear that while there were müftis located in Edirne in the period before Fahreddin Acemî,[65] it cannot be demonstrated beyond doubt that anyone other than Fahreddin Acemî, whether before or after him, held an official müftilik. Apart from the mention in Molla Gürânî's letter itself, the only hint of the existence of such an office comes in a notation in a list of those receiving payments of one kind or another from the income of the *imaret* of Murad II in Edirne that 'Mevlânâ Muslihiddin Kestellü [Molla Kestelli], müfti, was removed, dating from 16 Muḥarram 894 [20 December 1488]': the financial statement begins from 1 Jumādā I 893/13 April 1488, and in that eight months and fifteen days Molla Kestelli had received 12,750 akçe at 50 akçe a day.[66]

The *Shaḳā'iḳ* account of Molla Kestelli's life makes no mention of his having held a müftilik at any time in his life but gives no information on his career between his being removed from the kazaskerlik early in Bayezid II's reign (see above, pp. 21 et sqq.) with a pension of 100 akçe a day and his death, in retirement according to Mecdî, in 901/1495–6. The earlier but generally much sketchier account by İdris is rather more forthcoming on these years, however. On Molla Kestelli's departure from the kazaskerlik, İdris writes, 'he rolled up the scrolls of the judgments of the divan, and by imperial command (*ba-amr-i aẓīm*) he undertook the giving of fetvas (*fatwā*) and the exposition of the sciences and remained apart in the nook of seclusion (*inḳiṭā'*) until the falling due of his appointed time, in 901.'[67] While one could not confidently argue from the passage as a whole that İdris believes Molla Kestelli to have held an official müftilik, there nevertheless lurks the suggestion of some official standing as müfti and müderris; and in the light of this and of the just-mentioned notation concerning Murad II's *imaret* in Edirne on the one hand and of Molla Gürânî's letter and the firm evidence for the existence of a müftilik in Bursa from early in the reign of Bayezid II on the other, it seems not at all impossible that Molla Kestelli held a similar office in Edirne, perhaps from his retirement from the kazaskerlik until Muḥarram 894. Attempts to trace the office further in either direction have, however, proved abortive.

To return to Kâtib Çelebi's statement about Abdülkerim, then, one

[65] See above, pp. 113–14, and, for example, Molla Ibrāhīm b. Muḥammad al-Ḥanafī: Taş, i, 98; Mecdî, 59.

[66] Barkan, 'Edirne', 306.

[67] İdris, f. 617a (and Taş, i, 225–31; Mecdî, 161–6).

cannot rule out the possibility that he is right—if one interprets him correctly—in asserting that Abdülkerim was müfti in Edirne rather than Müfti in Istanbul, that, perhaps like Molla Zeyrek in Bursa, he held the müftilik on a one-off, *ad hominem* basis in the period before 886/1481.[68] On the whole, however, apart from amending the date of Molla Gürânî's accession to the Müftilik from 885 to 886 in the light of his letter, one is reluctant to abandon the conclusions reached in the discussion of the traditional account based on Müstakimzade (above, p. 137), either in the particular matter of the Müftilik of Abdülkerim or on the more general question of the origins and early history of the office, in view of the fact that the 'Müstakimzade tradition', as modified, is consistent with such little evidence as there is in the early sources, whether biographical or documentary, while there appears to be nothing in the way of evidence to support the alternative set of facts given by Kâtib Çelebi and those who follow him. One must emphasize, however, that so many uncertainties exist on points of substance and detail that one cannot present those conclusions as being anything other than provisional.

Abdülkerim

One of the most interesting facts about Molla Abdülkerim is that he alone of all the early Müftis was a captive from the lands of the unbelievers, the *kuffār*. According to the account in the *Shaḳā'iḳ*,[69] he became, while young, the captive of Mehmed Ağa, an emir of the time of Murad II, and was brought by him to the Ottoman lands together with two other captives, the future Grand Vezir Mahmud Paşa and Molla Ayās (Molla Ayâs).[70] The

[68] One may note here Peremeci's view (pp. 124–5) that Abdülkerim was given the müftilik of Edirne after the death of Fahreddin Acemî in 873 and remained in that post until his death in 900/1494–5. Apart from any other considerations, however, the implication of the discontinuity of the office in Molla Gürânî's letter would seem to require the modification of this view. The matter of Abdülkerim's death date will be taken up below (see p. 154), but it should be noted here that Kâtib Çelebi's 879 is questionable if only because it flatly contradicts the *Shaḳā'iḳ* statement that he died in the reign of Bayezid II.

[69] Taş, i, 244–6; Mecdî, 176–8. The *Katā'ib* biography (ff. 379b–380a), which includes a biography of Molla Ayâs, differs significantly only in giving no indication that Abdülkerim became Müfti (cf. above, n. 5). There appears to be an error in *İS*, in which facsimiles of two fetvas attributed to Abdülkerim are given (pp. 337–8). The signature on both fetvas—'Abd al-Karīm al-Ḳādirī—is almost certainly that of the *ad hominem* müfti in the time of Süleyman (see below, pp. 222–3), however, and not of the present Abdülkerim. Cf. Heyd, 'Fetva', 45–6, who notes the error and also identifies a genuine fetva by the present Abdülkerim.

[70] For Molla Ayâs, who was one of Neşrî's informants (Ménage, *Neshrī*, 2, 4), see Taş, i, 264–6; Mecdî, 189–90, where nothing is said of his origins. There is little more definite information about Mahmud Paşa. M. C. Şehâbeddin Tekindağ ('Mahmud Paşa' in *İA*), noting that there are a great many stories concerning his origins, suggests that he was, possibly, Serbian or Greek and relates a tradition that he was captured by Mehmed

three slaves are said to have ridden on one mule, Abdülkerim and Mahmud Paşa on one side and Molla Ayâs, who was bigger than both of them, counterbalancing them on the other. As a result of this Molla Ayâs is reported to have been fond of saying to the other two in later times: 'As I once counterbalanced the two of you on the mule, so now I counterbalance the two of you in excellence.' There is, however, no mention of Abdülkerim's nationality or of how he came to be captured. Among more recent authors only Danişmend hazards a guess on the first point, suggesting that he was, possibly a Serbian or Croatian.[71]

When the three arrived in the Ottoman lands, Mehmed Ağa appointed a tutor for them. Abdülkerim then apparently went on to receive a medrese education, for the next note on him is that he studied under Ali Tûsî and Sinān al-'Ajamī, one of the students of Mehmed Şah Fenârî.[72] He then taught at 'certain medreses', becoming finally one of the first appointees to the medreses which Mehmed II created by converting churches at the time of the conquest of Constantinople, these medreses being the precursors of the Sahn. That it was to the precursors of the Sahn and not to the Sahn itself that Abdülkerim was appointed is not, however, entirely clear from the article in the *Shaḳā'iḳ* on Abdülkerim. Taşköprüzade merely says that he was appointed to one of the eight medreses which Mehmed II 'created' (*aḥdatha*) at the time of the conquest, while Mecdî renders this in a thoroughly unambiguous but apparently erroneous fashion by saying that he was appointed to one of the eight medreses which Mehmed II built (*bina eyledikte*) at the time of the conquest. The confusion is cleared up by an earlier article, however, that on Ali Tûsî, in which it is stated: 'Sultan Mehmed, when he conquered Constantinople, made eight of its churches into medreses. He gave one of them to the aforementioned Molla [Ali Tûsî] and appointed for him [a salary of] 100 dirhams [akçe] a day. ... He gave one

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Ağa while travelling with his mother on the road from Novo Brdo to Semendire (Smederevo). Tekindağ takes note of the tradition about the three captives' being brought back together, but goes no further than suggesting that all three were attached to Mehmed Ağa.

[71] Danişmend, iv, 565. Âşık Çelebi, though in one context repeating the *Shaḳā'iḳ* story of Abdülkerim's origins (f. 172a), writes in his biography of Abdülkerim's son that he (Abdülkerim) 'grew up' (*neşv ü nema bulup*) in Dimetoka (Dhidhimótikhon) (f. 269b). It is difficult to see, however, how this can be reconciled with the account of his origins and education given in the *Shaḳā'iḳ*.

[72] For Ali Tûsî, see Taş, i, 158–62; Mecdî, 117–20. I have not been able to locate a Sinān al-'Ajamī in the *Shaḳā'iḳ* who fits the description. Molla Ayâs likewise seems to have received a medrese education, but according to Taş, i, 245; Mecdî, 177, Mehmed Ağa sent Mahmud Paşa to Murad II, who, in turn, gave him to his son, the future Mehmed II. The two thus grew up together, and this, it is suggested, was a reason for Mehmed II's making Mahmud Paşa his Grand Vezir. Tekindağ rejects this story as having no connection with historical truth. It is worth noting that Rifat Efendi (p. 12), who, as usual, follows Mecdî very closely verbally as well as factually, has abridged this story to the point of unintelligibility: his account can only mean that all three slaves were sent to Şehzade Mehmed.

to Molla Hocazade and one to Molla Abdülkerim and similarly appointed to each of the remaining [medreses] a müderris from among the learned scholars of that time. Then, when he built the eight medreses [the Sahn], he transferred the teaching (*al-tadrīs*) from [these eight church-medreses] to it.'[73]

The next appointment in Abdülkerim's career was to the kazaskerlik; he was then removed and made Müfti. Unfortunately Taşköprüzade gives no clue at all relative to the date of his appointment to, or his dismissal from, the kazaskerlik, or, as has been noted above, to the date of his appointment to the Müftilik. Mecdî states that he was appointed to the kazaskerlik while teaching at 'the aforementioned medrese' (i.e. the pre-Sahn church-medrese) and that he followed Hocazade in the office of kazasker, but he gives no dates. The earliest author to date Abdülkerim's kazaskerlik appears to be Kâtib Çelebi, who writes in his list of kazaskers in the *Takvim* that Hocazade was transferred from the kazaskerlik to the Sultan medrese in 863/1458–9 and that Molla Abdülkerim was removed in 871/1466–7. The implications of this are somewhat muddied by the immediately following statement that Molla Hüsrev was removed a second time in [8]68, but the dates 863 to 871 (1458–9 to 1466–7) for Abdülkerim's kazaskerlik have found general acceptance amongst later authors.[74] There seems no reason to doubt the earlier date, but the later is called in question by the signatures of one Maḥmūd b. Sayyidī Aḥmad as kazasker on a number of documents dating from

[73] Taş, i, 158–9 (Mecdî, 117). For a discussion of the pre-Sahn medreses, see Ünver, *Fatih, külliyesi*, 9–18; M. C. Baysun, 'Mescid. F. 10. Osmanlı devri medreseleri', *İA*, viii, 72b–73a, which two works, as well as Uzunçarşılı, *İT*, 5–10, and Baltacı, *O. Med.*, 350 et sqq., also have a good bit of information on the Sahn. Mehmed II's mosque, the Fatih camii, to which the Sahn was attached, was begun in Jumādā II 867/February–March 1463 and completed in Rajab 875/December 1470–January 1471 (Ayvansarayı, *Hadikat*, i, 8).

It may be noted that the confusion about the pre-Sahn and Sahn medreses does not stop with the example given in the text. In regard to the passage quoted from Taşköprüzade's article on Ali Tûsî, for example, it is not at all clear that Taşköprüzade, in speaking of eight church-medreses, is not back-projecting from the structure of the Sahn since only two centres are actually named: the Ayasofya medrese and the Zeyrek medrese (at which both Molla Zeyrek and Ali Tûsî were teaching) (cf. Uzunçarşılı, *İT*, 5, n. 3. See also below, p. 165 and n. 108: it may be that the Kalenderhane medrese was a third). Hocazade, moreover, was fairly certainly not one of the original appointees to the church-medreses (cf. the *Shaḳā'iḳ* articles on Hocazade and Molla Zeyrek: Taş, i, 197–220, 193–7; Mecdî, 145–58, 142–5); and the common interpretation of Taşköprüzade's ambiguous statement that 'the teaching' was transferred from the pre-Sahn to the Sahn medreses to mean that the three named müderrises were transferred (e.g. in Mecdî, 117; Sa'deddin, ii, 454 (followed by Baysun)) appears to be incorrect since the circumstances of the careers of Hocazade and Abdülkerim, at least, make it unlikely that they ever taught at the Sahn proper, particularly if it is the case that the Sahn medreses were not opened for teaching until 875/1470–1.

[74] Kâtib Çelebi, *Takvim*, 186. İsmail Beliğ (p. 269) and *SO* (iii, 351) have Abdülkerim succeeding Hocazade, while Müstakimzade (f. 5a), Rifat Efendi (p. 12), *İS* (p. 336) and Altınsu (p. 10) give Kâtib Çelebi's dates.

866/1461–2 to 872/1467–8.[75] This scholar appears not to be mentioned in Kâtib Çelebi's list, where the next kazasker to be named, after the inexplicable entry about Molla Hüsrev, is Köprülü [? – كوپرلو] zade Mahmud Efendi—almost certainly Muḥyi 'l-Dīn Muḥammad, known as İbn Küpeli [كوپه‌لو or كوپلو]—whose date of appointment is not known but who, Âşıkpaşazade and Neşrî (and Kâtib Çelebi) say, was removed in 872/1468.[76]

For the rest of Abdülkerim's career one can only reiterate the conclusions reached in the previous section: that he was almost certainly Müfti in the time of Mehmed II and not Bayezid II and that he preceded Molla Hüsrev; that it is very likely that he succeeded Fahreddin Acemî; and that he probably resigned or was removed in order to make room for Molla Hüsrev's return from Bursa. It also seems probable that he died in the time of Bayezid II, this conclusion being based on the statement in the *Shaḳā'iḳ* to that effect together with the anecdote in Mecdî's *tezyil* (above, n. 36). Only one source, aside from Peremeci, whose view has been discussed above, gives any information concerning Abdülkerim's activities during the period between his leaving the Müftilik and his death: in his article on Müfti Ahmed Paşa, İsmail Beliğ says that that scholar was succeeded at the Sahn by Abdülkerim in 880/1475–6,[77] a statement which must, however, be treated with the customary caution.

[75] In chronological order: Hüsameddin, 'Orhan Bey'in vakfiyesi', *TTEM*, year 16 (1926), no. 17/94, 293 (a *vakfiye* dated 866/1461–2); Ünver, *Fatih, külliyesi*, 15 (a record of the gift of a book by Mehmed II to the Zeyrek medrese on 1 Dhu 'l-Ḳa'da 867/18 July 1463); Gökbilgin, *EPL*, 327, facsimiles, 194 et sqq. (a *vakfiye* dated mid-Jumādā II 869/mid-February 1465); Ünver, op. cit., 11 (a record of the gift of a book by Mehmed II to the Ayasofya medrese on 1 Dhu 'l-Ḳa'da 869/25 June 1465); Barkan/Ayverdi, doc. 936 (Molla Hüsrev's *vakfiye*, dated Rabī' I 870/October–November 1465); Hüsameddin, loc. cit. (a *vakfiye* dated 872/1467–8). His signature also appears on two earlier documents: in a *defter* summary of a *vakfiye* dated the latter part of Jumādā II 854/early August 1450 (Gökbilgin, op. cit., 279) and on two copies of a *zeyl* to Murad II's *waṣiyyatnāme* (*vasiyetname*), the *zeyl* probably dated 862/1457–8 or 872/1467–8 (İnalcık, *Fatih devri*, 208, 213, plates III[3], V: cf. Hüsameddin, op. cit., 292, whose citations of documents dated 850 and 852 need to be corrected in the light of İnalcık (especially plate V). The *vakfiye* dated 872, if correctly cited by Hüsameddin, strengthens the case for dating the *zeyl* in 872). The first, at least, was very probably added later than the date of the document: apart from the fact that it is so much earlier than the other signatures, the summary has Molla Hüsrev's signature as kadı of Edirne (cf. below, n. 100), 'then' (*thumma*) Mahmud's.

Mahmud's name is given both as such and as Mehmed (cf. Ünver, op. cit., 15, 11; Gökbilgin, op. cit., 327, facsimiles, 194) but is shown by his actual signature to have been Mahmud (Gökbilgin, op. cit., facsimiles, 195; İnalcık, op. cit., plates as cited). There appears to be no separate biography of him in the *Shaḳā'iḳ*: see, however, Hüsameddin (op. cit., 294), who says that he was related to a noted Amasya family. For what appears to be a *vakıf* of Mahmud's, dated 875/1470–1, see Gökbilgin, op. cit., 350.

[76] Apz/Giese, 164; Neşrî: *Mz*, 203; Ank, ii, 784, where the name is given as كبلو اوغلى (vocalized *Kablu* in Apz/Giese). For İbn Küpeli, see Taş, i, 303–4; Mecdî, 215. If Hüsameddin's citation of the document signed by Mahmud (see previous note) is reliable, İbn Küpeli's tenure of the kazaskerlik must have been very short.

[77] İsmail Beliğ, 278.

Although the sources are agreed that Abdülkerim was buried in Edirne, in the courtyard of a *mektephane* which he had built there, there is wide divergence amongst them as to the date of his death, with dates ranging from 874/1469–70 (*SO*) to 907/1501–2 (Müstakimzade) being given.[78] The earlier of these, as well as 879, which Kâtib Çelebi gives in the *Takvim*, may probably safely be ruled out on the grounds that they contradict the explicit statement in the *Shaḳā'iḳ* about his death, though it must be emphasized that there is no other evidence so strong as to invalidate them. The source of Müstakimzade's 907/1501–2 is not clear, but it conflicts with nothing save Müstakimzade's own statement that Abdülkerim died early in the reign of Bayezid II (began 886/1481). The most favoured date is 900/1494–5, the earliest mention of which appears to be in Kâtib Çelebi's *Kashf al-ẓunūn*—again, his source for the date is not known—and which has been adopted by the formulators of the later Turkish tradition, Müstakimzade excepted.[79] On present evidence, however, there seems to be no sound basis for choosing between these two dates or, indeed, for adopting either of them.

Another possible death date for Abdülkerim is suggested, however tenuously, by information given in two statements of income and expenditure published by Barkan, one for the *imaret* of Bayezid I in Edirne and one for the Darülhadis of Murad II in the same city. In the first is a note of a payment of a pension of 20 akçe a day to a Molla Abdülkerim, who died on 5 Muḥarram 895 (29 November 1489); in the second is a note of a similar payment, this time of 30 akçe a day, to a Molla Abdülkerim who died on 7 Muḥarram 895 (1 December 1489).[80] So slight is the difference in the dates of death that it is no obstacle to believing the two to be the same man, who would thus have been receiving a pension of 50 akçe a day from just these two sources—there may, of course, have been others—a sum which would be consistent with what one would expect to be paid in this period to former holders of high learned office. For the moment, however, one can do no more than to remark on the strong possibility that *a* Molla Abdülkerim (rather than two different ones) died in early Muḥarram 895 and that he had been receiving a not inconsiderable pension; and to hope that the discovery of further facts will confirm or refute the identification of this Abdülkerim as the Müfti.

Molla Hüsrev

In dealing with the background of Muḥammad b. Ferāmerz (Molla

[78] *SO*, iii, 351; Müstakimzade, f. 5a.

[79] *KZ*, i, 497, ii, 1717; Rifat Efendi, 12 (who refines it to Rajab 900/March–April 1495); Danişmend, i, 434; Altunsu, 10 (the date 901 in *İS*, 336, is very possibly an aberration). 900 is also given in Peremeci, 125.

[80] Barkan, 'Edirne', 294, 316.

Hüsrev),[81] one is immediately confronted with two separate and conflicting traditions concerning his father, Ferâmerz. The first of these traditions is to be found in Taşköprüzade and the sources depending directly upon him, although there is disagreement amongst these—and even amongst the available texts of Taşköprüzade—on certain important points. The manuscripts of Taşköprüzade—the present author's own as well as those consulted by Rescher—and el-Kefevî (who purports to quote Taşköprüzade) all appear to make the assertion that Ferâmerz was a French (?) emir (Taşköprüzade: من امراء الفراسخة ; el-Kefevî: من امراء الفرسخة), Rumî—that is, presumably, 'Greek' in the context—in origin. Mecdî, in the body of his translation, says merely that he was a French emir, Sa'deddin simply that he was Rumî in origin. The printed text of Taşköprüzade, however, states that he was a Turkoman emir of Rumî origin. That this was a relatively early alteration to Taşköprüzade's text is indicated by the fact that Baldırzade (followed by İsmail Beliğ) quotes the *Shaḳā'iḳ* to this effect. All the versions of Taşköprüzade and the sources based on him are agreed that Ferâmerz became a convert to Islam, a statement which accords much more naturally, perhaps, with the reading 'French' than with the reading 'Turkoman'.

The version of the printed text of Taşköprüzade may represent an attempt to reconcile what appears to be the original *Shaḳā'iḳ* account with the second tradition about Molla Hüsrev's forebears. There is again, among the authors subscribing to this second view, a certain amount of disagreement over important details, but the broad outline is the same in all: that Ferâmerz was of Muslim, Anatolian descent. A marginal note in Mecdî (p. 135) states that Ferâmerz was a Kurd who settled between Sivas and Tokat, in the Varsak vilayet, and that he built a *zāwiya* (*zaviye*) 'in that village' (which is not, however, named). The note also mentions that in the colophon of the *Durar-i Gurar* (see below), Molla Hüsrev signs himself Mehmed b. Ferâmerz b. Ali, 'from which it is to be understood that his grandfather's name was Ali'. Baldırzade, followed by İsmail Beliğ, merely reports the statement that Ferâmerz was a Turkoman emir of Rumî origin who converted to Islam, which statement he attributes to the *Shaḳā'iḳ*, and says about Molla Hüsrev himself, whom he refers to as al-Tōḳātī, that according to certain of his grandsons (*aḥfād*) he was born in the village of Ḳarḳīn, between Sivas and Tokat, in which village his father had built a *zaviye*. Later authors have differed on whether Ferâmerz was a Kurd or a Turkoman and whether he settled in—and, by implication, whether Molla Hüsrev was born in—Ḳarḳīn

[81] For Molla Hüsrev, see Taş, i, 181–7; Mecdî, 135–9; Taş/Rescher, 69–72 (in connection with the point which follows, especially p. 69, n. 3); *Katā'ib*, ff. 351b–353a; Sa'deddin, ii, 462–5; Baldırzade, ff. 84b–86a; İsmail Beliğ, 258–61. On various questions connected with Molla Hüsrev's ancestors and origins, see Ünver, *Notları*, 18–21, 88–90.

or in the area of Yerköy, near Yozgat,[82] but they are agreed that Ferâmerz was of Anatolian Muslim origin.

It seems entirely possible that the first view, that Ferâmerz was of French and/or Greek extraction, arises from a misinterpretation by Mecdî of Taşköprüzade's *al-Farāsikha*, with a consequent misinterpretation by others of *Rūmī al-aṣl*. Rather than having anything to do with 'French' (*França* in Mecdî), the former term seems much more likely to be a plural of *Farsakh*, from which it is a much easier step to Varsak (cf. Molla Gürânî's spelling—*Warsaḳ*—in his letter, however) than to *França*. In other words, it appears probable that Taşköprüzade's original term, the derivation of which is made less clear by el-Kefevî's rendering *al-Farsakha* (?), was more precise than the later emendation but appears to have been misunderstood by Mecdî and either not understood or thought to be in need of simplification by later copyists and other authors.[83] It may well be that Mecdî was misled by Taşköprüzade's statement that Ferâmerz became a convert (on which point Taşköprüzade does, however, seem to be wrong, as suggested below): if not an obviously unnecessary step for a Varsak emir to have to take, it is a much more obviously necessary one for a French emir. As for the idea that Ferâmerz was Greek in origin, Ünver and Babinger both suggest that it derives from a wrong interpretation of Rum, which properly refers

[82] The 'later authors' in this case do not include the formulators of the later Turkish tradition. Rifat Efendi (p. 8) and Altunsu (p. 6) follow Mecdî, while Müstakimzade (f. 3b), *İS* (p. 328) and Danişmend (i, 434) say nothing about his forebears. *SO* (ii, 271–2), although noting the tradition that Ferâmerz was a Frankish convert, states that he was a Kurd. *OM* (i, 292–3) states that he was of the Varsak tribe of Turkomans from the vicinity of Tokat, later stating that the marginal note in Mecdî says that Molla Hüsrev came from Yerköy. It is not so stated in the marginal note in the printed text, but something has clearly dropped out before the sentence 'He [Ferâmerz] built a *zaviye* in that [?] village.' Uzunçarşılı (*OT*, ii, 652–3; *İT*, 229) says that Molla Hüsrev's father was related to a Turkoman [not in *İT*] tribe in Yerköy, in the neighbourhood of Yozgat ['in the Yerköy area of Yozgat' in *İT*]. Though Altunsu (p. 6) writes that Molla Hüsrev was born in the village of Kargın in the Yerköy area of Yozgat, he is presumably conflating two separate traditions since Yerköy is roughly 100 miles from what could properly be called 'between Sivas and Tokat'.

It might be noted that of the numerous present-day 'populated places' named Karkın or Kargın listed in *Turkey (Gazetteer no. 46)* (see above, Chapter III, n. 38), one, named Karkın, lies at 40.06 N, 36.51 E, between Sivas and Tokat, while none lies particularly close to Yerköy.

[83] Ünver (*Notları*, 19) writes that one 'Abd al-Raḥmān al-Ḥusaynī, 'the son of Molla Zeyrek and known as Zeyrekzade', says in an Arabic biography of Molla Hüsrev that his father was a French emir. Were Abdurrahman the son of the fifteenth-century scholar, he would almost certainly predate Taşköprüzade, and his assertion would therefore be of considerable interest. From the signatures and the biographical details given in Ünver, op. cit., 70–1, however, it seems almost certain that the scholar in question is 'Abd al-Raḥmān b. Aḥmad, known as Zeyrekzade (d. 1085/1674), holder of the office of nakibüleşraf (among other posts) in the time of Mehmed IV (Uşakizade, 426–8).

here, as often, not to Eastern Rome or the Greeks but rather to the Rum of central Anatolia (the Amasya–Sivas region).[84]

Whatever the source of the various misunderstandings, the fact that Molla Hüsrev's family on his father's side was Muslim for at least the two preceding generations seems to be firmly established by the evidence of his own hand. The form of his signature noted in Mecdî as occurring in the colophon of the *Durar*—that is, Mehmed b. Ferâmerz b. Ali—is confirmed from the facsimile of the colophon of an author's copy (dated 883/1478) of the work and is found again in the colophon of an author's copy (dated 875/1471) of another of his works, the *Mirḳāt al-wuṣūl*.[85] To these two signatures, both on literary works, may be added an occurrence of his name on a legal document of a considerably earlier time, namely a *ḥujja* (*hüccet*) recording a sale of property in Malkara, dated 843/1439–40, where one finds amongst the witnesses to one transaction the name Mehmed b. Ferâmerz b. Hoca Ali.[86] Less conclusive, perhaps, but none the less interesting is the fact that one of the earliest biographical notices of Molla Hüsrev, an extremely brief one by al-Sakhāwī (d. 902/1497), gives his name as Muḥammad b. Ferāmerz b. 'Alī Muḥyi 'l-Dīn Khuṣrawī.[87] If one cannot be exact about the homeland of Ferâmerz—though the argument that he was a Varsak seems very strong—or the precise birthplace of Molla Hüsrev, there does appear at the least to be a strong connection with the province of Rum; and in this connection one might further note that another Arab author whose life overlapped Molla Hüsrev's, namely al-Suyūṭī (d. 911/1505), gives him the *nisba* al-Sīwāsī.[88] Ferâmerz also had a daughter whom he married to an emir by the name of Hüsrev: he is called simply 'another emir' by Taşköprüzade, but an 'Ottoman emir' by Mecdî.[89] On Ferâmerz's death, Molla Hüsrev, who was still young, passed under the care of his brother-in-law, becoming known first as 'the brother-in-law of Hüsrev' and then simply as 'Hüsrev'.

[84] Ünver, op. cit., 19; Babinger, *Mahomet II*, 583–4.

[85] For the facsimiles of the colophons, see Ünver, op. cit., 89; *İS*, 331. For the *Durar al-ḥukkām fī sharḥ Ghurar al-aḥkām* (both text and commentary are by Molla Hüsrev), see Kâtib Çelebi, *KZ*, i, 747, ii, 1199–1200, and above, pp. 132–3; and for the *Mirḳāt al-wuṣūl fī 'ilm al-uṣūl*, see *KZ*, ii, 1657. See also *OM*, i, 292–3; Ünver, op. cit., 20, 88–90; Uzunçarşılı, *OT*, ii, 653.

[86] Gökbilgin, *EPL*, 172. In the vast majority of legal documents bearing Molla Hüsrev's signature, where he is signing as kadı or kazasker, the signature is in the form Mehmed b. Ferâmerz. Whether the 'Hoca' which occasionally occurs in the grandfather's name is to be taken in the sense of 'teacher' or 'merchant' is not clear (cf. Ünver, op. cit., 20).

[87] al-Sakhāwī, *al-Ḍaw' al-lāmi'*, viii, 279.

[88] See Philip K. Hitti, *as-Suyuti's Who's Who in the Fifteenth Century*, New York, 1927, 109.

[89] Both Taş and Taş MS. refer to him as *amīr ākhar*, but el-Kefevî gives the reading *amīr akhūr*—that is, *mirahor*, or Master of the Horse—which Rescher, without comment, also appears to have adopted (*Stallmeister*: Taş/Rescher, 69). Sa'deddin and Baldırzade say simply that he was of the *ümera*.

The *Shaḳā'iḳ* mentions only one man under whom Molla Hüsrev studied, namely Burhaneddin Haydar Herevî, whom both Taşköprüzade and Mecdî here call 'the müfti in the lands of Rum' (see above, p. 114).

Baldırzade, followed by İsmail Beliğ, says that Molla Hüsrev also studied under Molla Hamza el-Fenârî, presumably the father of Molla Fenârî, and under Molla Yegân. There seems to be no information on the former in the sources; if Molla Hüsrev did study under him, however, Molla Hamza must have been well on in years at the time, since Molla Fenârî was born in 751/1350. It is certainly possible from the standpoint of chronology that Molla Hüsrev studied under Molla Yegân; and from a remark of Molla Hüsrev's quoted in the *Shaḳā'iḳ* article on İbn Manisa it is clear that Molla Hüsrev was in Bursa in the early 820s (1417–20) since he says that he attended the first lesson given by Mehmed Şah Fenârî at the Sultan medrese in Bursa.[90] In the same quotation, however, Molla Hüsrev also says: 'I have seen (Taş: *ra'aytu*; Mecdî: *gördüm*) two lessons in Rum', these being the first lesson given by Mehmed Şah Fenârî and the first lesson given by İbn Manisa (in 877/1472–3), the first müderris at the medrese of the Grand Vezir Mahmud Paşa in Istanbul. It may be that the implication of this statement is that Molla Hüsrev received his education entirely outside Rum (however this might be here defined), which would, of course, invalidate the claim that he studied under Molla Yegân and, perhaps, that he studied under Molla Hamza. It is impossible, unfortunately, to locate Molla Hamza or, for that matter, Burhaneddin Haydar Herevî, who appears to have come to the Ottoman lands perhaps only in the time of Mehmed I. It is entirely possible, however, that Molla Hüsrev means simply that he has seen (only) two lessons of this type, that is, first lessons, in Rum; and indeed, since he probably did not receive his first medrese appointment until the early 830s, it seems very likely that he was a student for much of the 820s.

His first medrese appointment was, in fact, to the Şah Melek medrese in Edirne;[91] while there he wrote a marginal commentary on the *Muṭawwal* of al-Taftāzānī. His brother, who is not mentioned by name in the *Shaḳā'iḳ*, was at the same time teaching at the Halebî medrese in Edirne,[92] and when

[90] Taş, i, 294; Mecdî, 209. See above, p. 105. el-Kefevî mentions this association (f. 351b) and goes on to say: *akhadha 'ulūm* ... (? – variously described in the available MSS.) *'an akhīhi*; but while Molla Hüsrev is fairly certainly the subject, it is not at all clear whether it is his own brother or Mehmed Şah's brother (i.e. Yusuf Bâlî) who is intended. Molla Hüsrev is not listed by el-Kefevî amongst Yusuf Bâlî's students (f. 339b). Cf. below, n. 93, however.

[91] Gökbilgin gives a facsimile of the *vakfiye* of this medrese (*EPL*, facsimiles, 247–9) which is dated 5 Muḥarram 835/13 September 1431, with a *zeyl* dated the first part of Muḥarram 840/mid-July 1436: the müderris is to receive 10 akçe a day. The date of the building of the medrese is not known, but Baltacı suggests that it is more or less contemporaneous with the mosque of Şah Melek Paşa which bears an inscription dated Ramaḍān 832/June 1429 (*O. Med.*, 91). For Şah Melek Paşa, see Gökbilgin, op. cit., 27–8.

[92] Baldırzade and İsmail Beliğ say that the brother's name was Jalāl al-Dīn. A marginal note in Mecdî (p. 135) states that Molla Hüsrev had a son of that name: it may be

the brother died, Molla Hüsrev took over that medrese. From the fact that Taşköprüzade mentions that his grandfather, who had been studying under Molla Hüsrev's brother, was sent off on the latter's death to Yusuf Bâlî b. Molla Fenârî at the Sultan medrese in Bursa, it is possible to suggest a *terminus post quem* for Molla Hüsrev's succeeding to the professorship of the Halebî medrese, for Yusuf Bâlî succeeded his brother, Mehmed Şah Fenârî, at the Sultan medrese on the latter's death, the probable date for which is 839/1435–6.[93]

According to the majority of Turkish sources, the next step in Molla Hüsrev's career was his appointment to the kazaskerlik. Mecdî, indeed, states explicitly that he was appointed kazasker while teaching at the Halebî medrese. The dating of this appointment can be assigned with reasonable accuracy because it is generally agreed among the sources that Molla Hüsrev was appointed to the post at the time of the first accession of Mehmed II to the sultanate and resigned from it when Murad II reascended the throne; and such confusion as there is about Molla Hüsrev's tenure in this post results almost entirely from the uncertainty surrounding the facts of Mehmed II's first sultanate. This uncertainty has to a large extent been cleared up, in particular through the work of Halil İnalcık.[94] For the present purpose it is sufficient to summarize briefly the conclusions reached by İnalcık relative to the vexed chronology of this period:

(a) that Murad II abdicated in favour of his son Mehmed II in August 1444 (Rabī' II–Jumādā I 848);
(b) that to meet the threat presented by the Christian crusade which resulted in the battle of Varna (28 Rajab 848/10 November 1444), Murad II returned to take *de facto* control of affairs but did not actually reascend the throne; and
(c) that Murad II removed Mehmed II and reascended the throne in August 1446 (Jumādā I–II 850).

With these conclusions in mind, one may safely disregard the dating of these events given in the sources relative to the ulema, a dating which is but one manifestation of the general confusion which had previously surrounded

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that there is some confusion here. İsmail Beliğ's statement that Molla Hüsrev wrote his *haşiye* on the *Muṭawwal* at the Halebî medrese appears to be a misunderstanding of Taşköprüzade's (but not Mecdî's) and/or Baldırzade's account, which needs careful reading on this point. For the Halebî (or Çelebi) medrese, a foundation of Murad II's, see above, Chapter III, n. 123.

[93] Cf. above, Chapter III, n. 99. If Uzunçarşılı's assertion that Molla Hüsrev studied under, and was licensed by, Yusuf Bâlî (b. Molla Fenârî: *OT*, ii, 652) does not arise from el-Kefevî's dubious statement (as above, n. 90) or some other, unidentified source, it may well result from an intrusive (and very misleading) *waw* after 'Molla Hüsrev' in Mecdî, 136, line 2, which could possibly give grounds for such a statement.

[94] İnalcık, *Fatih devri*. A convenient summary of the author's arguments is to be found in his article 'Mehmed II' in *İA*. For the wide variety of traditions concerning the abdication of Murad II, the first sultanate of Mehmed II and the return of Murad II, see Danişmend, i, 211–18.

them. Mecdî, for example, dates Mehmed II's accession to the sultanate, and thus Molla Hüsrev's accession to the kazaskerlik, in 847/1443–4;[95] and it seems from his account that he believes Mehmed II's withdrawal—and thus Molla Hüsrev's resignation—to have occurred at the time of Varna.

If one accepts the testimony of the early sources that Molla Hüsrev was appointed kazasker on the first accession of Mehmed II, extant documents signed by Molla Hüsrev as kazasker show his tenure in that office to have continued through Mehmed II's first sultanate and, indeed, slightly beyond it. The first of these is an *āzādnāme* which Murad II caused Molla Hüsrev to write about a month after Varna, in the latter part of Sha'bān 848/early December 1444. The second document, the *vakfiye* of Turhan Bey, bears the signature of Molla Hüsrev as kazasker and is dated the first part of Jumādā I 850/late July 1446. The third document is the *vasiyetname* of Murad II, dated mid-Jumādā II 850/early September 1446, again confirmed by Molla Hüsrev as kazasker.[96]

This last document calls in question the tradition given in the *Shaḳā'iḳ* concerning Molla Hüsrev's resignation from the kazaskerlik. Taşköprüzade writes that when Murad II reascended the throne and sent Mehmed II back to Manisa, all Mehmed II's former advisers abandoned him, presumably to take up service again with Murad II. Molla Hüsrev alone decided to return with Mehmed II to Manisa; and when Mehmed II urged him to retain his post under Murad II, he said: 'I shall not go [to Murad II]; for a sense of honour [demands] that one should share with another both prosperity and adversity.'[97] Given the fact that Murad II's return to the throne appears to

[95] Mecdî, 136. See also Müstakimzade, f. 3b, and *SO*, ii, 271–2. The date which Rifat Efendi gives, namely 832/1428–9 (p. 8: inserted in a sentence which he has taken almost verbatim from Mecdî), is inexplicable and has no regard for the facts of Molla Hüsrev's career. *İS* (pp. 328–9) has attempted to remain true to Rifat Efendi on the one hand and the facts on the other by saying: 'Molla Hüsrev was appointed kazasker before the battle of Varna, in 832 [1428–9].'

On the fact of Molla Hüsrev's being made kazasker at Mehmed II's first accession, see also Apz/Giese, 120; Neşrî: *Mx*, 172; Ank, ii, 646.

[96] For the first two documents, see İnalcık, *Fatih devri*, 78, 215–17, plate VI; Gökbilgin, *EPL*, facsimiles, 251. For the third, see İnalcık, op. cit., 102–3, 209–13, plate IV; Uzunçarşılı, 'Sultan İkinci Murad'ın Vasiyetnamesi', *Vakıflar Dergisi*, iv (1958), 1–17 (with plates); Mithat Sertoğlu, 'İkinci Murad'ın Vasiyetnamesi', *Vakıflar Dergisi*, viii (1969), 67–9 (with plates). The fact that Ünver says that this signature of Molla Hüsrev's, which he reproduces (*Fatih, külliyesi*, plates, 51), occurs on Murad II's *vakfiye* for the Muradiye mosque apparently arises from a misidentification of the document in the archive catalogue.

Cf. a note in a *defter* from Saruhan of the time of Süleyman, summarizing the history of a *çiftlik*, in which there is mention of a document signed in 849/1445–6 'in the presence of the then kazasker, Cemaleddin' (Barkan, 'Bir İskân ve Kolonizasyon Metodu Olarak Vakıflar ve Temlikler', *Vakıflar Dergisi*, ii (1942), 323b (82)). If there has not been a mistake of fact of some sort at some stage in the transmission, the note may indicate that Molla Hüsrev's tenure in the post was interrupted.

[97] Taş, i, 182.

have occurred in August 1446, and that the document, which is Murad II's own *vasiyetname*, is dated September 1446, one must assume, with İnalcık,[98] that Molla Hüsrev's leaving the kazaskerlik did not occur in the manner described in Taşköprüzade. The story may, however, contain in some sense a germ of truth. The first sultanate of Mehmed II saw a bitter struggle for power between the new slave aristocracy, who were on the whole partisan to Mehmed II, and the old Turkish aristocracy, headed by the Grand Vezir Çandarlı Halil Paşa, who favoured the resumption of the sultanate by Murad II. Though nothing is known of Molla Hüsrev's involvement in this struggle or of his inclinations, the bitterness attendant on it may have resulted in his resigning and going off to join Mehmed II, if he were particularly partisan to him, some time after Murad II's resumption of the throne, or in his being removed from office for the same reason by the temporarily successful party of Çandarlı Halil Paşa. The biographers of Molla Hüsrev make much of the fact that he was greatly honoured by Mehmed II on his second accession (855/1451).

One would, perhaps, be more disposed toward this view were it not for the fact, not mentioned by Taşköprüzade, that a little later in Murad II's reign, Molla Hüsrev reappears in an important official post, the kadılık of Edirne, the capital at that time. Mecdî is the earliest source to mention this appointment, noting in his *tezyil* that there are a number of documents (*temessükât*) signed by Molla Hüsrev as kadı of Edirne in the period of Murad II, and specifying two, dated 851/1447–8 and early Shawwāl 853/mid-November 1449.[99] Confirmation of Molla Hüsrev's having held this post at about this time is to be found in a number of his signatures on documents with dates ranging from early Muḥarram 852/mid-March 1448 to the early part of Ramaḍān 854/mid-October 1450.[100]

[98] İnalcık, *Fatih devri*, 103, n. 153. İnalcık also cites a passage from Sa'deddin (i, 386) in which Molla Hüsrev is shown comforting Mehmed II on his departure by prophesying that the days of his sultanate are not far off.

[99] Mecdî, 138–9. Hibrî also reports having seen *vakfiyes* signed by Molla Hüsrev as kadı of Edirne, dated 852 and 853 (f. 46a: an obvious defect in the MS. has been made good from Gökbilgin, 'Tarihler', 115). Müstakimzade (f. 3b) gives 853/1449 for his becoming kadı of Edirne. Rifat Efendi, curiously, does not mention this appointment, though clearly having read Mecdî's *tezyil* from which he quotes some facts additional to those in Taşköprüzade about Molla Hüsrev's works (p. 9). *İS* (p. 329) also omits mention of this appointment, as does Altunsu (pp. 6–7). For the view of İsmail Beliğ, *SO* and others, see below.

[100] Gökbilgin, *EPL*, 279, 270, 266, 278, 279 and 271 (in chronological order). The signatures on these documents vary a good deal:

محمد بن ایمرزا (p. 270) محمد فرامرز (p. 279) محمد بن فرامرز (p. 266)

محمد بن میرزا (p. 271) محمد بن امرز (p. 279) مولانا ایمرزا (p. 278)

a fact which has led the compiler of the index to postulate two different men, Mehmed b. Ferâmürz and Mehmed b. İmirza. The similarities of the consonantal structure amongst the variants is notable, however; and such are the difficulties of reading the signatures on

In view of the fact that Molla Hüsrev seems not to have departed with Mehmed II for Manisa and that he apparently did not cut himself off from the good graces of Murad II entirely, inasmuch as whenever and however he left the kazaskerlik, he was soon appointed to another post of considerable importance, one must treat with caution Taşköprüzade's version of the events at this point in Molla Hüsrev's career and the political significance that can be read into it. It is arguable, on the analogy of the transfer of Molla Gürânî from the kazaskerlik to the kadılık of Bursa (see below, pp. 170–1), that Molla Hüsrev's appointment to the kadılık of Edirne represents a demotion; it is not impossible that, on the assumption that it is a demotion, he resigned or was removed from the kazaskerlik because he was too closely associated with the partisans of Mehmed II. There is no evidence beyond the obviously over-simplified account of Taşköprüzade to justify this latter suggestion, however, and one can do no more, without further evidence, than admit it as a possibility.

Another possible reason for Molla Hüsrev's leaving the kazaskerlik is suggested by the highly confused account of this period in his life to be found in the *Güldeste*. İsmail Beliğ writes: 'In the year 848 [1444] he became kadı of Edirne in place of Ahmed b. Hızır. In 855 [1451] he was removed, Veliyüddinzade Ahmed Paşa [Bursalı Ahmed Paşa] taking his place. Afterward he honoured the post of kazasker (*sadr-i Rum*) in place of Molla 'Îsâ-i 'Ayânî, and in his place came Halilpaşazade Süleyman Çelebi. When Sultan Murad II made his fortunate son Sultan Mehmed heir to the throne of justice for the first time, the aforementioned Molla [i.e. Molla Hüsrev] became kazasker. ...' He then goes on to summarize the story in Taşköprüzade about Molla Hüsrev's accompanying Mehmed II into retirement.

The problems presented by this account are many. It is in the first place highly unlikely that Molla Hüsrev could have held the kadılık of Edirne continuously from 848/1444 to 855/1451 since the biographical and documentary evidence appears to establish that he held the kazaskerlik from at least Rabî' II–Jumâdâ I 848/August 1444 to at least Jumâdâ II 850/September 1446. It is, moreover, unlikely that Molla Hüsrev succeeded to the kazaskerlik in or after 855/1451 since the *Shaḳā'iḳ* specifically states that on Mehmed II's accession in that year, Molla Gürânî was appointed kazasker while Molla Hüsrev was given a salary of 100 akçe a day for an unspecified job.[101] The statement is rendered even more doubtful by the fact that İsmail

the original documents, and such the vagaries of printing in Gökbilgin's book, that one may safely assume that all these represent the signatures of Molla Hüsrev. This assumption is strengthened by the fact that two of those which are unquestionably Molla Hüsrev's surround, chronologically, one of those signed by Mehmed b. İmirza: thus the one signed Mehmed Ferâmerz (p. 279) is dated early Muḥarram 852/mid-March 1448; the one signed Mehmed b. İmirza (p. 270) is dated early Rabî' II 852/early June 1448; and the one signed Mehmed b. Ferâmerz (p. 266) is dated the latter part of Jumâdâ II 852/late August 1448.

[101] It is possible, however, that Molla Gürânî was not appointed kazasker until 857/1453: see below, pp. 169–70. For Molla Hüsrev's appointment, see below, p. 164.

Beliğ then proceeds to insert, completely out of chronological sequence, Molla Hüsrev's appointment to the kazaskerlik on Mehmed II's first accession in 848/1444.

What is of interest, however, is İsmail Beliğ's statement that Molla Hüsrev was succeeded (as kazasker) by Khalīl Pasha-zāde Sulaymān Çelebi (Çandarlı Süleyman Çelebi). Little information is given in Taşköprüzade on Çandarlı Süleyman Çelebi: merely that he was the son of Murad II's vezir, Çandarlı Halil Paşa; that he held the kazaskerlik in the time of his father; and that he predeceased his father, who was executed in 857/1453. Mecdî, however, mentions in his *tezyil* a *vakfiye* involving a village attached to the kaza of Edirne signed by Çandarlı Süleyman Çelebi as kazasker and dated 851/1447–8.[102] Since it is virtually certain that Molla Hüsrev held the kazaskerlik until at least mid-850, it is not unreasonable to suppose that Süleyman Çelebi was indeed his successor. This possibility, in turn, allows the further conjecture that the removal of Molla Hüsrev from the kazaskerlik resulted from an act of nepotism on the part of Süleyman Çelebi's father, the Grand Vezir Çandarlı Halil Paşa.

Perhaps as a result of İsmail Beliğ's account, at least three late sources, the *Sicill-i Osmanî*, Babinger, and Uzunçarşılı,[103] have chosen to ignore the unusually well-documented statement in Mecdî's *tezyil* concerning Molla Hüsrev's period of office as kadı of Edirne and have asserted that his appointment to that office preceded his appointment to the kazaskerlik. There seems to be no evidence whatsoever in the early sources to support this view; and, indeed, it runs contrary to the explicit statement in Mecdî, noted above, that it was while he was teaching at the Halebî medrese that he was appointed to the kazaskerlik. While it is impossible to reject outright the view of the later authors, while it is remotely possible that Molla Hüsrev held the office of kadı of Edirne both before and after his kazaskerlik, the fact that these authors fail to mention Molla Hüsrev's having held the kadılık of Edirne after his kazaskerlik leads one to suspect that they have simply ignored Mecdî's statement and transposed the appointment to a time before his kazaskerlik. It is possible, of course, that they have done this because the appointment does conflict with the account in Taşköprüzade—and, for that matter, in the text of Mecdî as distinct from his *tezyil*—of Molla Hüsrev's career after his kazaskerlik. It is also possible, however, that in choosing to ignore Mecdî's statement they have been influenced by the principles of the

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There seems to be no mention in the *Shaḳā'iḳ* of the Molla 'Īsā-i 'Ayānī whom Molla Hüsrev is said to have succeeded. *SO* (iii, 610) does mention an 'Īsā Efendi b. Muḥammad 'Abbāsī who held the kazaskerlik and was removed in 855/1451. I have not been able to find the author's source for this date, however, and it may even simply be deduced from İsmail Beliğ.

[102] Mecdî, 126 (Taş, i, 172). The signature 'Süleyman b. Halil' as kazasker also appears on the *vakfiye* of İsa Bey, the son of Bayezid Paşa (cf. above, pp. 102–3), but it is impossible to date the signature.

[103] *SO*, ii, 271–2; Babinger, 'Khosrew, Mollā' in *EI*[1], *EI*[2]; Uzunçarşılı, *OT*, ii, 652.

later *cursus honorum* of the learned profession, that they have acted on the assumption that if Molla Hüsrev held both the kadılık of Edirne and the kazaskerlik, he must have held the former before the latter, and have, perhaps, even assumed the former to have been a prerequisite to the latter. As has been argued above, however, this assumption would, in general, be valid if applied to the career of a scholar coming to maturity at least by the early sixteenth century, but is somewhat less generally valid when applied to the lives of scholars for the greater part of the fifteenth century.

About the next step in Molla Hüsrev's career there is also some confusion. The sources state that on the second accession of Mehmed II (16 Muḥarram 855/18 February 1451) Molla Hüsrev was appointed a daily salary of 100 akçe. Not one of them records the nature of the post, if any, to which he was appointed. It seems virtually certain that he was removed from the post of kadı of Edirne: the latest of the documents signed by him in this capacity which has been located is dated the early part of Ramaḍān 854/mid-October 1450, and there is some evidence to show that he was replaced in that post in 855/1451 by Bursalı Ahmed Paşa.[104] While it is possible that Molla Hüsrev was removed from the kadılık by Murad II in late 854, it seems more likely that he was removed by Mehmed II on, or shortly after, his accession.

According to the sequence of events given by the sources—who either omit or misplace his tenure as kadı of Edirne—the giving of this salary, whether it was in fact a salary or a pension, represents, of course, a reinstatement. According to their view, Molla Hüsrev, having left the kazaskerlik to join Mehmed II, was rewarded for his loyalty by the appointment of a not inconsiderable allowance on Mehmed II's second accession. This interpretation is, however, complicated by what seems to be the correct sequence of events, which shows that Molla Hüsrev was very possibly removed from the post of kadı of Edirne by Mehmed II. One might argue from this that Molla Hüsrev, far from being rewarded for his loyalty, actually suffered a fall from grace, perhaps because of his disloyalty; but it is more probable that he became attached to the sultan in some sort of personal advisory capacity, an attachment which would carry with it great honour. Some support for this latter suggestion is found in the fact that Molla Hüsrev seems to have been present at, and to have taken part in, the deliberations during the siege of Constantinople.[105]

[104] İsmail Beliğ, 259; Halil İnalcık, 'Aḥmad Pasha (Bursalı)' in *EI*[2]. Taşköprüzade (i, 306–10) and Mecdî (pp. 217–19) mention his appointment to the post but give no clue relative to the dating of it. As noted above (p. 117, especially nn. 151, 152), there is also fairly strong evidence that Çandarlı İbrahim Paşa held the office from 855/1451, though none to indicate with any certainty whom he succeeded: Hibrî places him after Molla Hüsrev, and Bursalı Ahmed Paşa after Hocazade, in the 870s, but does not offer any evidence for the latter placement (ff. 46b–47b).

[105] Danişmend, i, 238, 250. In the council of war on (26 or) 27 May 1453 he seems to have been among those favouring the continuation of the siege. It must be noted, however, that while there is early authority for Molla Gürânî's presence at the siege (see below, p. 170), Danişmend seems to be the only source to mention Molla Hüsrev's presence.

For no better reason than that these few years are a period when the facts of Molla Hüsrev's life are in some doubt, one may mention here an appointment he seems to have held, about the circumstances of which the present evidence is, however, very tenuous, namely the kadılık of Bursa. It has been noted previously that Hüsameddin cites a document apparently confirmed by Molla Hüsrev as kadı of Bursa, to which evidence may be added that of his signature as kadı of Bursa on the *vakfiye* of İsa Bey, the son of Bayezid Paşa.[106] Unfortunately, it is not possible to date either signature even approximately since that on the first document was clearly added much later than the date of the document itself (821/1418); while about that on the second, one can say no more than that it obviously cannot be earlier than the date of the document on which it appears, in this case 839/1435–6. Though not one of the Ottoman biographical sources consulted, not even the historians of Bursa, Baldırzade and İsmail Beliğ, mentions that he held the post, the one fact noted by the Arab historian al-Sakhāwī about Molla Hüsrev, apart from his name, is that he was kadı of Bursa.[107] These three bits of evidence, perhaps particularly the signature on İsa Bey's *vakfiye*, where a facsimile is accessible, appear to establish beyond doubt that Molla Hüsrev did at some point in his career hold the kadılık of Bursa. There seems at the moment, however, to be no basis for deciding even roughly when he held the post; and one must emphasize again that it is mentioned at this point in the account of Molla Hüsrev's career only for the sake of convenience and not with the intention of suggesting a possible dating of his tenure of the post.

According to el-Kefevî, when Mehmed II conquered Constantinople (857/1453), he added the teaching of the Kalenderhane medrese to Molla Hüsrev's duties (or 'pay': *waẓīfa*/*vazife*), a statement which must be treated with some caution, however, since it is not at all clear that the Kalenderhane was put to use as a medrese so early.[108] All the sources are agreed that the next step in his career was his succeeding Hızır Bey as kadı of Istanbul on the latter's death in 863/1459,[109] receiving in addition the kadılıks of Eyüp, Galata and Üsküdar and the professorship of the Ayasofya medrese. The remainder of his career has already been discussed in some detail (see above,

[106] For the former, see above, Chapter III, n. 63; for the latter, above, pp. 102–3: there is an enlargement of Molla Hüsrev's signature in Ünver, *Fatih, külliyesi*, plates, 51.

[107] al-Sakhāwī, *al-Ḍaw' al-lāmi'*, viii, 279.

[108] *Katā'ib*, f. 352a. Mehmed II's *vakfiye* refers to the Kalenderhane only as a *zaviye* (and, by implication, as an *imaret*) (*Fatih vakfiyeleri*, 323–8). According to İnalcık, it became a medrese in the time of Bayezid II (H. İnalcık, 'Istanbul' in *EI²*, iv, 225b; see also Baltacı, *O. Med.*, 267–70). el-Kefevî's apparently corroborative statement that Akhī Yūsuf b. Junayd al-Tōḳātī (Ahi Yusuf) succeeded Molla Hüsrev as müderris at the Kalenderhane medrese (f. 379a) is called into question by the *Shaḳā'iḳ* account of that scholar's career (Taş, i, 408–9; Mecdî, 292–3), though there is no direct evidence to refute his statement that Ahi Yusuf studied under Molla Hüsrev at the Kalenderhane (f. 352a).

[109] The only author to give a precise date for Hızır Bey's death is Sa'deddin, who gives 'the middle decade' of Rabī' I 863/16–25 January 1459 (ii, 452).

pp. 128–34), and one need here merely summarize the conclusions reached: that Molla Hüsrev appears to have held the kadılık of Istanbul, presumably with the associated offices as well, until 876 or 877 (1472–3); and that, having resigned and retired to Bursa for a period, he returned to become Müfti, perhaps as early as 878/1473–4, which office he held until his death. Concerning the date of Molla Hüsrev's death there is little controversy. Virtually all the sources are agreed that he died in 885/1480–1[110] in Istanbul and was buried in the environs of his medrese in Bursa. Mecdî, in the text of his translation, asserts that he died on a Friday in Sha'bān 885/October–November 1480, seemingly using as evidence for this assertion a three-line chronogram which he quotes in his *tezyil*, the second line of which contains that statement.[111]

Molla Gürânî

The successor to Molla Hüsrev as Müfti, Molla Shams al-Dīn (or Shihāb al-Dīn) Aḥmad b. Ismā'īl b. 'Uthmān al-Gūrānī, known as Molla Gürânî,[112] was born in 813/1410–11 in a town of [the] Gūrān,[113] to the south of the

[110] *OM* is the only exception, saying that Molla Hüsrev died in 886/1481 as kadı of Istanbul (i, 292). The latter statement is untenable, and the date seems equally so inasmuch as the author quotes two of the three chronograms given by Mecdî, both of which work out to 885. He does, in fact, omit the *ḥamza* at the end of *al-'ulamā'* in *māta ra'īs al-'ulamā'*, but the effect of this is to give 884 instead of 885.

[111] Mecdî, 138–9, who ascribes the poem simply to one of the *ashab-i tevarih*. Baldırzade (f. 86a) adds another line between the first and second lines of Mecdî's version, and İsmail Beliğ (p. 260) then quotes the first, second and fourth lines as in Baldırzade, omitting the line giving the more precise date. Rifat Efendi (p. 9) follows Mecdî in the dating, but Müstakimzade (f. 4a), despite giving the chronogram from Mecdî's three-line poem, states that Molla Hüsrev died in Muḥarram 885/March–April 1480.

[112] See Taş, i, 143–51; Mecdî, 102–11; *Katā'ib*, ff. 342b–344b. To the standard Turkish sources on Molla Gürânî must be added the lengthy biographical notice in al-Sakhāwī, *al-Ḍaw' al-lāmi'*, i, 241–3, which is particularly useful for the periods of Molla Gürânî's life spent outside the Ottoman domains, periods about which the Turkish sources give only scanty and often incorrect information. al-Sakhāwī quotes in several places from al-Maḳrīzī (766–845/1364–1442), but does not mention the work from which he quotes (but see below, n. 117). Ibn Taghrībirdī attaches to his note on Molla Gürânî's banishment from Egypt a short biographical notice (*al-Nujūm*, vii/2, 114–15). The notice in the work of a later author, *al-Badr al-ṭāli' bi-maḥāsin min ba'd al-ḳarn al-sābi'* by the Yemeni Abū 'Abd Allāh Muḥammad b. 'Alī b. Muḥammad, known as al-Shawkānī, kadı of Ṣan'ā (1173 to 1250/1759–60 to 1834–5), 2 vols., Cairo, 1348/1929–30, i, 39–41, also deserves mention. On the whole the author follows al-Sakhāwī very closely, adding only one or two facts and omitting several others, but takes a more sympathetic attitude towards Molla Gürânî than does al-Sakhāwī. At the end of the account he summarizes briefly some of the information in Taşköprüzade, whom he acknowledges as his source.

Note must also be made of the excellent article 'Molla Gürânî' in *İA* by Ahmed Ateş, to which I am indebted for references to many of the sources used below. See also J. R. Walsh, 'Gūrānī' in *EI²*, especially for an appreciation of his writings.

[113] Though al-Sakhāwī makes this statement, he notes:

town of Halabja in present-day Irak. Though the sources are not entirely agreed on the details of his early life, it would appear that he studied first a wide range of subjects under a certain al-Zayn 'Abd al-Raḥmān b. 'Umar al-Ḳazwīnī al-Baghdādī, perhaps in Baghdad, then going on to Diyarbakır and Hasankeyf (Ḥişn Kayfā) for further study. In or about 830/1426–7 he arrived at Damascus, from which, after a period, he went on to Jerusalem, studying all the while, and came finally to Cairo in or about 835/1431–2 in a state of extreme poverty.

During his stay in Cairo, Molla Gürânî studied under a number of scholars, notably under Ibn Ḥajar, who licensed him in *ḥadīth*. According to the *Shaḳā'iḳ*, he began to give public lectures (*dars 'āmm*) designed especially for learned men, who bore witness to his excellence.[114] He came to take part in learned discussions held in the presence of the sultan and the leading men of the state, several of whom seem to have taken a special interest in him and to have spread his fame abroad. His fortune appeared to have been made after the accession of Sultan al-Ẓāhir Çaḳmaḳ (19 Rabī' I 842/10 September 1438), whose company he frequented and whose boon companion he became. At some point—whether before or after al-Ẓāhir Çaḳmaḳ's accession it is impossible to tell—he was made professor of *fiḳh* at the Barḳūḳiyya medrese.

His success was not to last, however. According to al-Sakhāwī, 'there appeared in him, when his fortunes [thus] rose, that which had been concealed, namely a self-confidence (*i'tiḳād nafsihi*) which induced in him recklessness and frivolity.'[115] On 2 Jumādā II 844/29 October 1440, according to Ibn Taghrībirdī, he became involved in a quarrel with one

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وارخه المقريزى فى ثالث عشر ربيع الاول سنة تسع :برزوى

According to al-Maḳrīzī's reckoning, then, Molla Gürânî's birth date would be 28 July 1406. I have been unable either to locate the place of birth given by al-Maḳrīzī or to ascertain the vocalization of it: Walsh ('Gürānī') no doubt rightly regards the form given as a copyist's distortion.

For Gürān, see D. N. MacKenzie, 'Gūrān' in *EI²*. İdris (f. 617b) says that Molla Gürânî was 'from the lands of [the] Gürān of the Kurds', and el-Kefevî—or strictly, one MS. of the *Katā'ib*—that the *nisba* relates to 'the Kūrān/Gūrān, of the Kurdish people' (*min ṭā'ifat al-Akrād*) and that his place of origin was Bitlis, in the Kurdish lands (R, f. 343a: this passage is not present in V or EE). Whether Molla Gürânî was actually a Kurd, as in Babinger, *Mahomet II*, 574, it is difficult to say: cf. Walsh, op. cit.

[114] al-Sakhāwī does not mention these lectures but does include a quotation about Molla Gürânî from al-Maḳrīzī, who was by this time well on in years: 'I studied under him the *Ṣaḥīḥ* of Muslim and *al-Shāṭibiyya* [the *Ḥirz al-amānī* of al-Shāṭibī]; and I found him proficient, fluent and fully conversant with the disciplines comprising *ilm*: with *fiḳh*, with *'arabiyya*, with *ḳirā'āt* and with others than these.'

Âşıkpaşazade and Neşrî, who note briefly the fact that Molla Gürânî came to the Ottoman lands from Egypt in the time of Murad II, make special mention of these public lectures in Egypt (Apz/Giese, 200; Neşrî: *Mz*, 232).

[115] al-Sakhāwī, *al-Ḍaw' al-lāmi'*, i, 242. al-Sakhāwī also criticizes his personal life, saying that he married time after time because of his excessive desire for women and was frequently divorced.

Ḥamīd al-Dīn al-Nu'mānī, a descendant of Abū Ḥanīfa, in the course of which Molla Gürânî reviled Ḥamīd al-Dīn's ancestors. When this came to the sultan's attention, he had Molla Gürânî seized and imprisoned. Haled before the Ḥanafī kadı, Ibn al-Dayrī, he was beaten eighty strokes in the presence of the sultan, banished, and removed from the professorship of *fiḳh* at the Barḳūḳiyya medrese.[116]

The account of his subsequent adventures is quoted by al-Sakhāwī from al-Maḳrīzī.[117] Having been sent to Damascus, he set off with the pilgrims but was caught and sent to Aleppo. He was then lost sight of until he appeared at al-Ṭūr on the Sinai Peninsula trying to cross the sea to Mecca. Again apprehended, he was this time sent beyond the Euphrates. All these events, according to al-Maḳrīzī, occurred in the year 844/1440–1. al-Sakhāwī adds that he then went on to the lands of Rum.

With Molla Gürânî's coming to the Ottoman domains, one must turn to the Turkish sources which, not surprisingly, give a much more detailed account of his career there than do the Arab sources. The Turkish tradition concerning Molla Yegân's having brought Molla Gürânî as a '*ḥajj* gift' to Murad II has been discussed in some detail in the previous chapter. It was there suggested that, in the light of the Arab sources, the tradition is in error in asserting that Molla Yegân found Molla Gürânî a successful scholar in Egypt and had to induce him to come to the Ottoman lands but that it is probably correct in asserting that Molla Yegân did bring Molla Gürânî to the court of Murad II, having somehow come across him while making his own pilgrimage, very possibly that of 844/April–May 1441. If such is the case, one may, perhaps, tentatively date Molla Gürânî's arrival in 845/late 1441.

According to the Turkish sources, as noted above, Molla Gürânî was introduced into Murad II's presence by Molla Yegân. After conversing for an hour or so with Molla Gürânî, the sultan appointed him to the Kaplıca (Murad I) medrese in Bursa. He was later appointed to the Yıldırım (Bayezid I) medrese in that same city. One of Molla Gürânî's students at the latter medrese, one in whom he took much pride, was his eventual successor as

[116] Apart from the date (given also by al-Maḳrīzī, as in the following note), Ibn Taghrībirdī's account of the trial (*al-Nujūm*, vii/2, 114–15) is rather less detailed than al-Sakhāwī's: there is no mention of Molla Gürânî's imprisonment or the arraignment before the Ḥanafī kadı; indeed it seems from Ibn Taghrībirdī's version that the sultan himself dealt with the matter immediately.

[117] See now al-Maḳrīzī, *Kitāb al-sulūk*, iv/3, 1212–13, 1215, where a certain amount of information about these events—including what happened to Molla Gürânî after his banishment—is given, though it is clear from the latter reference that al-Maḳrīzī has already covered them in a biography of Molla Gürânî in his (unpublished) *Durar al-'uḳūd al-farīda fī tarājim al-a'yān al-mufīda*. It is almost certainly from this latter that al-Sakhāwī is quoting, but the account in the *Kitāb al-sulūk* does shed light on an inexplicable passage in the printed text of al-Sakhāwī where the author appears to say that Molla Gürânî's offices and ranks (*waẓā'if wa martabāt*) were sent to Damascus (p. 242), whereas it is clear from al-Maḳrīzī that his offices were given to others and *he* was banished to Damascus. The present account has been corrected accordingly.

Müfti, Molla Arab.[118] At some point during this period Molla Gürânî abandoned the Shâfi'î *mezheb* and adopted the Ḥanafî at the request of Murad II.[119]

Molla Gürânî's next appointment was as Hoca to Mehmed II while the latter was governor of Manisa. Mehmed had, seemingly, resisted the efforts of a number of tutors to teach him to recite the Koran from beginning to end. Perhaps again at the instigation of Molla Yegân (see above, p. 103), Murad II appointed Molla Gürânî—whom the sources describe as an awesome man, tall and possessed of a long beard—tutor to Mehmed and armed him with a cudgel, instructing him to beat Mehmed should he prove refractory. When Molla Gürânî explained this to Mehmed, the latter laughed, whereupon Molla Gürânî beat him. This seems to have had the desired effect, for Mehmed soon learned the Koran, much to the joy of Murad II and consequently to the profit of Molla Gürânî.

Molla Gürânî presumably held the post of Hoca until the second accession of Mehmed II (855/1451) at which point, the sources are agreed, he was offered a vezirlik. He turned it down, however, saying: 'Those servants and slaves who are in thy palace serve thee only that they may, in the end, obtain the office of vezir. Were the vezir to come from other than their number, their hearts would turn from thee, and the business of thy government would become disordered.'[120] It is said that Mehmed II was pleased with this speech and gave him the kazaskerlik instead.

Molla Gürânî's appointment to the kazaskerlik is thus tied to his rejection of the vezirlik offered by Mehmed II. Provided that the story is true, the details of it raise some slight doubt about the dating of his appointment to the kazaskerlik, despite the universal acceptance of the date 855/1451 by the biographical sources, inasmuch as it seems to be implicit in Taşköprüzade, who speaks of 'the office of vezir' (*al-wazāra*), that it was the office of Grand Vezir that Molla Gürânî was offered. If the post in question was in fact that of Grand Vezir, it would seem more likely in the light of general historical considerations that the offer was made after the fall of Çandarlı Halil Paşa following the conquest of Constantinople, since it is doubtful that Mehmed

[118] Taş, i, 237; Mecdî, 171. See below, pp. 174 et sqq., especially pp. 178–9.

[119] This fact is not noted in Taş or Mecdî: Taş refers to him simply as 'a Ḥanafî *faḳīh*', while Mecdî states that he studied *fiḳh* according to the Ḥanafî *mezheb* in Cairo. al-Sakhāwī, however, does not give any evidence which would support Mecdî's claim; rather to the contrary he mentions as one of the books Molla Gürânî studied in Cairo *al-Ḥāwī*, by which it seems probable that he means *al-Ḥāwī al-ṣaghīr fi 'l-furū'* by Najm al-Dīn 'Abd al-Ghaffār b. 'Abd al-Karīm al-Ḳazwīnī, one of the highly regarded Shâfi'î books (Kâtib Çelebi, *KZ*, i, 625–7). In any case he states specifically that Molla Gürânî turned Ḥanafî after having gone to the Ottoman lands, while Ibn Taghrībirdī, in recounting the story of the quarrel (which, it will be remembered, involved Molla Gürânî's reviling the ancestors of a descendant of Abū Ḥanīfa), refers to Molla Gürânî as 'al-Shāfi'ī' (as does al-Maḳrīzī, *op. cit.*, 1212). Amongst the Ottoman sources the fact of his conversion is mentioned at least as early as Kâtib Çelebi: see his *Sullam*, f. 18b.

[120] Taş, i, 144 (Mecdî, 104): see above, pp. 31–2.

II felt himself strong enough at his accession to dispense with the services of the experienced and well-entrenched Halil Paşa, however much he may have wished to do so. It may therefore be that Molla Gürânî's appointment to the kazaskerlik occurred in 857/1453 rather than in 855/1451. Such sources as refer to Molla Gürânî during the siege of Constantinople do not mention his position[121] and thus are of no assistance on this particular point. Unfortunately there likewise seems to be as yet no documentary evidence which shows either that Molla Gürânî was kazasker during the years 855–7/1451–3 or that someone else was: the only useful bit of evidence relative to Molla Gürânî's kazaskerlik is a notation of a *vakfiye* signed by him as kazasker in the latter part of Rabī' I 858/late March 1454.[122] One cannot, of course, on these slight and, as yet, largely negative grounds, dismiss the widely accepted view that Molla Gürânî was offered the (or a) vezirlik, and then made kazasker, on Mehmed II's accession in 855/1451; but it is worthy of note that if Molla Gürânî was offered the office of Grand Vezir, as distinct from a lesser vezirlik, in 855, this fact would have important implications in respect of the relations between Mehmed II and Çandarlı Halil Paşa.

That Molla Gürânî was present at the siege of Constantinople, in whatever capacity, is certain. He seems to have been one of the main spokesmen for those favouring the continuation of the siege both in the council following the arrival of the Christian ships on 20 April and in the council on 26 or 27 May, immediately preceding the final assault.[123] He also wrote one of the *fatḥnāmes* (*fetihname*) on the conquest, that to the ruler of Egypt, Înāl Shāh.[124]

In late 858/late 1454 or early 859/early 1455 Molla Gürânî was removed from the kazaskerlik.[125] According to the *Shaḳā'iḳ*, he displeased Mehmed

[121] See the passage from İdris Bitlisî's *Hasht Bihisht* quoted in İnalcık, *Fatih devri*, 128, n. 274; Sa'deddin, i, 423; Âli, v, 256–7. İnalcık (*Fatih devri*, 128) and Danişmend (i, 238) both refer to Molla Gürânî in this context as the sultan's Hoca, but this may well have been the title by which he was best known throughout the rest of his life.

[122] Gökbilgin, *EPL*, 349. As noted above (pp. 102–3), his signature as kazasker appears also on the *vakfiye* of İsa Bey, but the signature cannot be dated.

[123] İdris and Sa'deddin, as in n. 121 above (cf. also Âli, as cited), followed by İnalcık, *Fatih devri*, 128, and Selâhattin Tansel, *Osmanlı kaynaklarına göre Fatih Sultan Mehmed'in siyasî ve askerî faaliyeti*, Ankara, 1953, 71, 85. Tansel is the only source to mention Molla Gürânî's presence at the second council. There is much confusion in the Turkish sources about these two councils, however, some combining the two, some mentioning one but not the other (see İnalcık, *Fatih devri*, 130, n. 284). Tansel's assumption that Molla Gürânî was present at both is certainly not unreasonable.

[124] The Arabic text, with an Ottoman translation in the margin, is to be found in Feridun, i, 235–8. The sultan of Egypt at the time was al-Malik al-Ashraf Înāl (857–65/1453 (19 March)–1461). The Ottoman ambassador arrived in Cairo on Saturday 23 Shawwāl 857/Saturday 27 October 1453, both to congratulate the sultan on his accession and to give the news of the conquest of Constantinople, which was received with great joy (Ibn Taghrībirdī, *al-Nujūm*, vii/2, 436–8).

[125] Neşrî (*Mz*, 183; Ank, ii, 716) and Sa'deddin (i, 450) state that he was removed on the sultan's return from his first campaign into Serbia, in the summer of 858/1454 (the

II by appointing men to müderrisliks and kadılıks without presenting the appointments to him for confirmation. Unwilling to take the matter up directly with Molla Gürânî, perhaps still standing in awe of him, Mehmed II consulted with his vezirs who suggested that he induce Molla Gürânî to accept the kadılık of Bursa by saying that the *evkaf* of his ancestors there were in bad condition and needed setting right. Molla Gürânî agreed to take on the job and was sent off to Bursa as kadı and *mütevelli* of the imperial *evkaf*. He did not, however, remain long in this post. One day there came to him from Mehmed II a firman which he considered to be contrary to the şeriat. He tore up the firman and beat the messenger who had brought it, an action which enraged the sultan and resulted in the dismissal of Molla Gürânî.

Ateş has used the Arab sources to show that the traditional Turkish account of the next few years in Molla Gürânî's life, first found in Taşköprüzade and repeated in most of the later sources, is incorrect. According to Taşköprüzade, after his dismissal Molla Gürânî left for Egypt, 'the sultan of which was at that time al-Malik Ḳā'it Bāy', who honoured him greatly. Mehmed II repented of his action, however, and wrote to Ḳā'it Bāy, asking that he send Molla Gürânî back. When Ḳā'it Bāy told Molla Gürânî of the letter and urged him to stay, Molla Gürânî spoke of the great love between Mehmed II and himself and argued that if he did not go, Mehmed II would blame Ḳā'it Bāy for his refusal.

Suspicion of at least the dating of this story is immediately roused by the fact that Ḳā'it Bāy did not succeed to the throne until 872/1468,[126] though one could perhaps suppose that Taşköprüzade had simply got the sultan's name wrong. On turning to al-Sakhāwī, however, one finds reported a sequence of events which makes it most unlikely that the story in Taşköprüzade occurred at this time, if, indeed, it ever occurred at all. al-Sakhāwī records that while he himself was in Aleppo in 859/1455 Molla Gürânî came there. He goes on to say that Molla Gürânî went on to Damascus and then performed the *ḥajj* in 861 (8 Dhu 'l-Ḥijja 861 = 27 October 1457). It is also possible to show that Molla Gürânî was in Jerusalem in late 860/October–November 1456, for it was there that he started his commentary on the Koran, the *Ghāyat al-amānī fī tafsīr al-kalām al-rabbānī*.[127] While the itinerary given above does not necessarily preclude the possibility of a visit to Egypt during this period, the fact that al-Sakhāwī, who shows himself to

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year 858 began on 1 January 1454), the campaign which resulted in the capture of Sivricehisar. This dating accords well with the facts of Molla Gürânî's subsequent career. Müstakimzade (f. 4b), followed by Rifat Efendi (p. 10), dates his removal in 857/1453, a date which is proved wrong by the document in Gökbilgin cited in n. 122.

[126] He ruled until 901/1496: see Sobernheim–[E. Ashtor], 'Ḳā'it Bāy' in *EI*².

[127] H. Ritter ('Ayasofya kütüphanesinde tefsir ilmine âit arapça yazmalar', *TM*, vii–viii/2 (1945), 65) quotes the colophon of a manuscript of this work, which, in addition to the information given about the commencement of the work, also states that it was completed on Thursday 3 Rajab 867/Thursday 24 March 1463.

have been aware of Molla Gürânî's movements at this time and was himself an Egyptian, does not mention a trip to Egypt would seem to rule out the version of Molla Gürânî's journey given in Taşköprüzade. It is perhaps just possible that Molla Gürânî went to Egypt after 872/1467–8 as the result of a quarrel with Mehmed II: as will be noted below, little is known of Molla Gürânî's activities between roughly 870/1465–6 and 886/1481, when he succeeded Molla Hüsrev as Müfti. The chief argument against this suggestion, however, and admittedly a strong one, is, once again, that al-Sakhāwī makes no mention of such a visit.

Virtually all the biographical sources are agreed that Molla Gürânî returned to Istanbul in 862/1458 and was appointed again to the kadılık of Bursa by Mehmed II.[128] Âşıkpaşazade mentions at the end of a section dealing with a campaign by Mehmed II into the Morea and one by the Grand Vezir Mahmud Paşa into Serbia that Molla Gürânî returned from 'Arabistan' and was appointed to the kadılık of Bursa 'on that campaign': he dates these campaigns in 861/1457, but both Neşrî and Sa'deddin date them in 862/1458, this date finding acceptance among a number of modern historians.[129]

Nearly all the biographical sources dealing with Molla Gürânî proceed immediately from his reappointment to the kadılık of Bursa in 862/1458 to his appointment as Müfti in 885/1480 [886/1481], and the implication would seem to be that he held the kadılık of Bursa until his appointment as Müfti.[130] It is, however, clear from other evidence that others held the office of kadı of Bursa during this period. A certain Muḥyi 'l-Dīn was kadı of Bursa from at least Ṣafar 883/May 1478 to at least Muḥarram 886/March 1481;[131] and there is some evidence for Molla Ali b. Yusuf el-Fenârî's having held the office from 872/1467–8 to 877/1472–3.[132]

[128] Taş, i, 146; Mecdî, 106; Rifat Efendi, 10; *İS*, 334; *SO*, iii, 161. Of the biographical sources, only Müstakimzade gives a different date, namely 882/1477–8, which is clearly too late and may well be simply a slip of the pen.

[129] Apz/Giese, 141–3; Neşrî: *Mz*, 186–8; Ank, ii, 728–32 (the date of the Morea campaign does not appear in *Mz*); Sa'deddin, i, 463–9. İnalcık, 'Mehmed II' in *İA*; Danişmend, i, 282–3; Uzunçarşılı, *OT*, ii, 20–3. Ateş accepts Âşıkpaşazade's date for Molla Gürânî's return, which is not easily compatible with his acceptance of al-Sakhāwī's statement that Molla Gürânî went on the *ḥajj* in 861 (late October 1457).

[130] Taş, i, 146, says: 'He continued in that post [the kadılık of Bursa] for a time; then he [Mehmed II] appointed him to the office of *fatwā* (*manṣib al-fatwā*).' Mecdî (p. 106) says that he held the kadılık of Bursa for 'a prolonged period' (*emed-i medid*).

[131] See Halil İnalcık, 'Bursa şer'iye sicillerinde Fatih Sultan Mehmed'in fermanları', *Belleten*, xi (1947), 693–706. The author quotes a number of firmans from a *defter*, dated as above, pertaining to Muḥyi 'l-Dīn, kadı of Bursa. Five of the documents quoted are addressed to him, the earliest dated mid-Dhu 'l-Ḥijja 883/early March 1479 (p. 699) and the latest dated 5 Jumādā II 885/12 August 1480 (p. 703).

[132] İsmail Beliğ, 246, and Walsh, 'Fenārī-zāde' in *EI*[2]. Halim Baki Kunter, in his article 'Emir Sultan Vakıfları ve Fatih'in Emir Sultan Vakfiyesi', *Vakıflar Dergisi*, iv (1958), 39–63, gives a facsimile of the Emir Sultan *vakfiye*, which is signed by Ali b. Yusuf el-Fenârî, 'al-Mawlā' of Bursa, and dated 15 Rajab 874/18 January 1470.

While it is thus possible to show that Molla Gürânî was not kadı of Bursa for this whole period, perhaps not even for very much of it, it is impossible at the moment to show what he was doing. The only piece of evidence directly connected with him during this period shows him to have been in Edirne in the year 874/1469, for it was there that he finished his commentary on al-Bukhārī, *al-Kawthar al-jārī ʿalā riyāḍ al-Bukhārī*, in Jumādā II 874/November–December 1469.[133] In what official capacity, if any, he was present in Edirne, it is impossible to tell. İsmail Beliğ, as noted above, states that he succeeded Molla Hüsrev as kadı of Istanbul in 867/1462–3 and Brockelmann that he became kazasker in 872/1467–8;[134] for neither of these statements, however, is there any other evidence at all, and with respect to the former it may be noted that there is now a fair weight of negative evidence against İsmail Beliğ's assertion that he became kadı of Istanbul. With the publication of Barkan/Ayverdi, and in the light of the relatively large number of documents referred to therein, one is on much safer ground than formerly in concluding that a given scholar did *not* hold the kadılık of Istanbul. In the present case, for example, the fact that no documents signed by Molla Gürânî appear in Barkan/Ayverdi is a reasonable, though not wholly conclusive, basis for asserting that he did not hold that office.

Though it is generally agreed that Molla Gürânî succeeded Molla Hüsrev on the latter's death in 885/1480, the evidence of Molla Gürânî's letter, discussed above, shows clearly that it was not until after the accession of Bayezid II (Rabīʿ I 886/May 1481) that Molla Gürânî accepted the Müftilik: it is not clear, however, what arrangements, if any, were made in the interim. Molla Gürânî's recompense as Müfti was considerable: a basic salary of 200 akçe a day, a sum which appears not to have been matched until early in the reign of Süleyman (see below, pp. 223, 290 et sqq.); an additional 20,000 akçe a month and 50,000 akçe a year; and many gifts and slaves. A document cited by Gökbilgin shows that in 890/1485 Molla Gürânî was also in possession of six villages in the sancak of Çirmen as a timar.[135]

One anecdote concerning Molla Gürânî specifically relates to his Müftilik and is worth quoting as possibly throwing some light on the functions of that office. In the *Shaḳā'iḳ* biography of Hızır Bey's son, Molla Sinan Paşa (d. 891/1486), it is related that Şeyh İbn Vefa, though a Ḥanafī, used to recite the *basmala* aloud during worship, in contravention of Ḥanafī practice.[136]

[133] Kâtib Çelebi, *KZ*, i, 553.

[134] İsmail Beliğ, 260, and above, n. 19; Brockelmann, *GAL*, Suppl., ii, 320. Walsh ('Gürânî') reports İsmail Beliğ's doubtful statement that Molla Gürânî succeeded Molla Hüsrev as kadı of Istanbul in 867/1462–3 but also notes the conflicting statement in Mecdî that Hocazade succeeded Molla Hüsrev in 872/1467–8.

[135] Gökbilgin, *EPL*, 74–7. It may well be that this timar was held as a *çiftlik*: cf. ibid., 75, n. 189, and Halil İnalcık, 'Čiftlik' in *EI²*, ii, 33a.

[136] For Molla Sinan Paşa, see Taş, i, 270–5, especially pp. 274–5; Mecdî, 193–6 (195–6); for İbn Vefa, Taş, i, 357–62; Mecdî, 251–4; and for the point at issue, B. Carra de Vaux [L. Gardet], 'Basmala' in *EI²*, especially *Problems*. 1.

Molla Gürânî, then the Müfti, convened an assembly of the ulema of Istanbul in 'the mosque' (presumably the Fatih camii) that they might summon İbn Vefa and prohibit this practice of his. In the course of the assembly Sinan Paşa attested to the fact that İbn Vefa was fully capable of *ijtihād* (independent reasoning) on the question, and Molla Gürânî, accepting Sinan Paşa's testimony and argument, forthwith dissolved the assembly. One cannot be certain that in this particular case Molla Gürânî was acting *qua* Müfti as distinct from in a personal capacity, but the incident deserves mention if only because it is certainly possible that Molla Gürânî was acting officially as in some sense a recognized leader of the ulema.

Molla Gürânî held the office of Müfti until his death in 893/1488 in Istanbul. In what month he died is unclear. al-Sakhāwī says that he died in the latter part of Rajab 893/early July 1488, but Taşköprüzade, while not giving the month of his death, relates an anecdote about his last days which would seem to indicate that he died in the autumn.[137] Just before his death Molla Gürânî specifically requested through a deputation of vezirs, headed by the Grand Vezir Davud Paşa (in office 888–902/1483–97), that Bayezid II should participate in the prayers at his funeral (which proved to be an occasion of general mourning in the city) and that he should settle his debts which, despite the sizeable income he seems to have enjoyed, amounted to 180,000 akçe. The sultan carried out both these requests. Indicative of Molla Gürânî's apparently quite genuine humility, in spite of his obvious penchant for high living, was his third request: that his corpse should be dragged by the feet to the edge of the grave and then lowered into it. In the event, no one dared carry out his wish, and a compromise was reached whereby his body was placed on a mat and thus dragged to the edge of the grave. He was buried outside the mosque which he had built in Istanbul, opposite the *mihrab*.[138]

Molla Arab

Molla Gürânî was followed in the Müftilik by Molla 'Alā' al-Dīn 'Alī al-'Arabī, known as Molla Arab.[139] Born near Aleppo, Molla Arab received his basic education in that city. Some time in the decade of the 1440s he came to the Ottoman lands, to Bursa, where he studied under Molla Gürânî at the Yıldırım medrese and Hızır Bey at the Sultan medrese. He then went

[137] Taş, i, 149–50 (Mecdî, 109). He relates that in the spring of the year of Molla Gürânî's death he ordered that a tent be pitched for him outside Istanbul. In this he dwelt until the summer, when he ordered that a garden be bought for him, in which, in turn, he lived until the autumn. He then returned to his house to die.

[138] For Molla Gürânî's *evkaf*, including his mosque (completed in 876/1471–2), see his *vakfiye*, dated late Rabī' I 889/late April 1484, summarized in Barkan/Ayverdi, doc. 915; Ayvansarayı, *Hadikat*, i, 207–8; Ateş, op. cit., especially p. 408a; F. İsmail Ayanoğlu, 'Fatih Devri Ricali Mezar Taşları ve Kitabeleri', *Vakıflar Dergisi*, iv (1958), 205.

[139] Taş, i, 236–44; Mecdî, 171–6; *Katā'ib*, ff. 369a–370b.

on to become (fairly certainly) Fahreddin Acemî's *muid* at the Darülhadis in Edirne (see above, pp. 106–9), where he wrote marginal notes (*ḥawāshī*) on the *Sharḥ al-'Aḳā'id*. He was then appointed müderris at the Kaplıca (Murad I) medrese in Bursa.

While Molla Arab was teaching at that medrese, a certain Shaykh 'Alā' al-Dīn al-Khalwatī (Şeyh Alâeddin)[140] came to Bursa, and through him Molla Arab was converted to Sufism. The articles in the *Shaḳā'iḳ* on these two men, although agreed on these facts, differ slightly in their accounts of how this came about. According to the article on Molla Arab, Şeyh Alâeddin came to Molla Arab's house one day and talked with him on the subject of Sufism. So attracted was Molla Arab to him that he came to prefer his company to teaching; Şeyh Alâeddin educated him in the *ṭarīḳa* (*tarikat*) and licensed him in *irshād* (*irşad*). In the article on Şeyh Alâeddin, however, it is stated that when he first came to Bursa, Molla Arab violently disapproved of his practices (*samā' wa wajd*). The two of them met one day, and Şeyh Alâeddin whispered something into Molla Arab's ear, whereupon the latter fainted. When he revived he renounced his disapproval and adopted the *tarikat*.

The story of the subsequent involvement of the two men must be pieced together from the two articles since each article gives facts omitted in the other.[141] It seems that at some later time, Şeyh Alâeddin went to Istanbul and there created such a stir that Mehmed II grew fearful of him and ordered him to leave the city. Molla Arab hastened to his defence and was consequently banished with him. The two of them went to Manisa, where Mehmed II's son, Şehzade Mustafa, was governor at the time. Mustafa was much impressed by Molla Arab and interceded with Mehmed II on his behalf, as a result of which Molla Arab was given the professorship of the medrese in Manisa. Şeyh Alâeddin apparently went on to Karaman and died in Larende.

[140] Taş, i, 392–3; Mecdî, 281; *Katā'ib*, f. 364b. el-Kefevî includes both versions of the story of Molla Arab's conversion, referred to just below. See also Apz/Giese, 200: '[In the time of Mehmed II] the Halvetî Molla Alâeddin Abdal made his appearance (*vaki oldu*).' On the Khalwatiyya, see Hans Joachim Kissling, 'Aus der Geschichte des Chalvetijje-Ordens', *ZDMG*, ciii (1953), 233–89, and B. G. Martin, 'A Short History of the Khalwati Order of Dervishes' in Nikki R. Keddie (ed.), *Scholars, Saints, and Sufis*, University of California Press, 1972, 275–305 (both mention Şeyh Alâeddin: Kissling, 242 et sqq.; Martin, 279–81); and F. de Jong, 'Khalwatiyya' in *EI*[2]. Şadiḳ Vijdānī (*Tūmār-i ṭuruḳ-i 'aliyye: Khalwatiyya*, Istanbul, 1341) mentions Şeyh Alâeddin only briefly, as a disciple of Sayyid Yaḥyā (p. 27) and in connection with his younger brother, Shaykh Dede 'Umar Rūshenī (Taş, i, 393–4; Mecdî, 281–2), the founder of the Rūsheniyye branch of the Khalwatī *tarikat* (p. 41).

[141] The *Shaḳā'iḳ* article on Şeyh Alâeddin makes no further mention of Molla Arab, nor does it mention Şeyh Alâeddin's having gone to Manisa, saying merely: '[After his banishment] when he arrived in the lands of Karaman, he died in the city of Larende, his grave being well-known there.' The article on Molla Arab does not mention Şeyh Alâeddin's having gone to Istanbul, thus leaving the impression that he was banished from Bursa.

The foregoing account, which brings the story of Molla Arab's life as far as his appointment as müderris in Manisa, is based upon material in the *Shaḳā'iḳ* and has been accepted by the majority of later Turkish sources. One later source, however, the *Sicill-i Osmanî*, gives an account which, as far as this point in Molla Arab's career, is in many respects at variance with that found in the *Shaḳā'iḳ*. According to the *Sicill-i Osmanî*, Molla Arab was the son of Sayyid Muḥammad, the son of Shaykh al-shuyūkh Sayyid Muḥammad 'Arabī, who, the author says, died in Aleppo in 800/1397–8. Molla Arab himself was born in the village of Bīlermūn in Aleppo, studied under Imām Safarī, and became a member of the Rifā'ī *tarikat* through his father and of the Suhrawardī *tarikat* through the same Şeyh Alâeddin mentioned in the *Shaḳā'iḳ*. Together with that şeyh, Molla Arab left Aleppo and went to Manisa where he became attached to Şehzade Mustafa, subsequently being given the medrese in Manisa. The author also includes a short article on Şeyh Alâeddin to the effect that while spreading the *tarikat* in Aleppo, he was ordered to leave by the government of the time and went to the Ottoman lands where he died in 866/1461–2.[142]

It has proved impossible to find the source of the statements in the *Sicill-i Osmanî* about Molla Arab's early life, or, indeed, to find any further evidence of a concrete nature on the lives of either Molla Arab or Şeyh Alâeddin which can reconcile this account with that in the *Shaḳā'iḳ* or, alternatively, disprove one or the other. The two accounts are, of course, by no means wholly irreconcilable. The statement in the *Sicill-i Osmanî* that Molla Arab was of Sufi background and was himself brought up as a Sufi is not necessarily irreconcilable with the story of his conversion in the *Shaḳā'iḳ*: for example, if, as the *Shaḳā'iḳ* states, Molla Arab studied under Molla Gürânî, Hızır Bey and Fahreddin Acemî, none of whom seems to have had any connection with Sufism and the last of whom showed himself to be firmly opposed to at least one *tarikat*, it may well be that Molla Arab eschewed his mystic beliefs for a time and then underwent a reconversion at the hands of Şeyh Alâeddin. What are irreconcilable, however, are the statements, first in the *Shaḳā'iḳ*, not only that he studied under these men but that he taught at the Kaplıca medrese as well, and second, in the *Sicill-i Osmanî*, that he went directly from Aleppo to Manisa.

One must here prefer the account of the *Shaḳā'iḳ*. It is very difficult to see how Taşköprüzade could have gone so far wrong on his facts, particularly since his father studied under Molla Arab for two years and transmitted to Taşköprüzade a good deal of information about him, including a story from Molla Arab himself about his own study under Molla Gürânî.[143] While, as will be shown, there are some grounds for suspecting that Molla Arab

[142] For Molla Arab, see *SO*, iii, 487; for Şeyh Alâeddin, *SO*, iii, 486. The author says that Şeyh Alâeddin was both Khalwatī and Suhrawardī, a disciple of Sayyid Yaḥyā al-Shirwānī.

[143] Taş, i, 243, 237–9 (Mecdî, 175, 171–2).

himself and/or Taşköprüzade's father may have glossed over some aspects of the former's life (see below, pp. 184–6), there appears to be no reason to suppose the facts about his education and first teaching appointment to be other than those given in the *Shaḳā'iḳ*. If the information given in the *Sicill-i Osmanî* about Molla Arab and Şeyh Alâeddin cannot be wholly dismissed on the basis of present evidence—if it cannot confidently be concluded in the case of Molla Arab, for example, that the author has simply confused two men with similar names—it does seem that on this particularly important point the edge must go to the *Shaḳā'iḳ* version.

Whatever the manner of the meeting of Molla Arab and Şeyh Alâeddin and of the conversion of the former to Sufism, the fact that Molla Arab was converted by Şeyh Alâeddin seems indisputable. Though there is no direct evidence for the date of this event, two pieces of indirect evidence allow one to give a rough idea of when it must have occurred. First, both the *Shaḳā'iḳ* and the sources which follow it on the one hand, and the *Sicill-i Osmanî* on the other, agree that Molla Arab went to Manisa during the governorship of Şehzade Mustafa and was given the medrese there at Mustafa's instigation. According to Baysun, Mustafa was born about 854/1450 and, while young, was sent to Manisa as sancak bey. He must indeed have been very young, for he was brought back from Manisa to Edirne for the circumcision feast in 861/1457 to which reference has been made in the previous chapter. Presumably he then returned to Manisa and remained there until transferred to the governorship of Karaman some time between the years 871 and 873 (1466–8).[144] It would follow from this that Molla Arab's arrival in Manisa occurred in all probability in the decade of the 860s, a dating which the second piece of evidence—the likely death date of Şeyh Alâeddin—allows one to refine still further.

Though the sources do not give a death date for Şeyh Alâeddin himself, information given in the *Shaḳā'iḳ* on one of the most famous Ottoman Khalwatī şeyhs, Shaykh Muḥammad al-Jamālī, known as Çelebi Halife (or Efendi), suggests at least a *terminus ante quem* for his death. The relevant facts are that Çelebi Halife, soon after his conversion, joined Shaykh 'Abd Allāh (Şeyh Abdullah), a disciple of Şeyh Alâeddin's, in Karaman; that Şeyh Alâeddin came to Karaman during Çelebi Halife's stay there, met Çelebi Halife and died shortly thereafter, his death being followed by that of Şeyh Abdullah; that Çelebi Halife next went on to join other şeyhs, first in Tokat and then in Erzincan; and that he set out from Erzincan to join the then leading Khalwatī şeyh, Sayyid Yaḥyā al-Shirwānī, news of whose death

[144] M. Cavid Baysun, 'Mustafa 3. Mustafa Çelebi' in *İA*. Though the sources do not mention that he returned to Manisa, it is only natural to assume that he did so in view of the fact that Şehzade Bayezid seems to have returned to his governorship in Amasya (cf. V. J. Parry, 'Bayazid II' in *EI*²) and since no change of appointment is mentioned for him. Mustafa was made governor of Karaman following the campaign of Mehmed II against that emirate referred to above (Chapter III, n. 129). Baysun accepts the date 1466 (871) for the campaign.

reached him when he was only two days distant from Erzincan. There appears to be general agreement among the sources that Seyyid Yahya died in 868/1463–4 or, more probably, 869/1464–5; it may therefore be that something like the 866/1461–2 given by the *Sicill-i Osmanî* is the correct date for the death of Şeyh Alâeddin, in which case Molla Arab's involvement with the şeyh must, of course, have occurred prior to that date.[145]

How long Molla Arab stayed in Manisa is unknown; there is, moreover, a certain amount of confusion about the next step in his career. According to the printed text of Taşköprüzade, he was appointed to one of the Üç Şerefeli medreses in Edirne and then to one of the Sahn medreses. The mention of the appointment to one of the Üç Şerefeli medreses would seem, however, to be a later addition to the original text of Taşköprüzade: the manuscript of Taşköprüzade, el-Kefevî, Mecdî and Sa'deddin make no mention of such an appointment,[146] and Mecdî states explicitly that he went from the Manisa medrese to the Sahn.

Some help on these points, as well as several others in Molla Arab's life, may be offered by the letter from Molla Gürânî to the divan, quoted earlier in the chapter: a tentative identification of the object of Molla Gürânî's complaint as Molla Arab was suggested there (see above, pp. 144 et sqq.). In order to test the identification one may first summarize briefly the biographical facts stated in, or deducible from, the letter, as follows:

(a) that the object of Molla Gürânî's complaint was a Varsak;
(b) that he became *muid* at the Darülhadis in Edirne;
(c) that he delivered an elegy over 'the Persian subverter of the Faith', for which he became well known;
(d) that he became müderris in Manisa with 10 akçe a day;
(e) that he was brought—presumably from Manisa to Istanbul—at the same time as Ali Kuşçu (876/1472: see above, pp. 131–2). Though Istanbul is not mentioned, the explicit association of Ali Kuşçu and the unnamed scholar in Molla Gürânî's letter leaves little doubt that the latter was brought to Istanbul and may suggest more, namely that he was brought to the Sahn, to which, as a document shows, Ali Kuşçu must have been appointed on, or not long after, his arrival in Istanbul (see above, pp. 131–2); and

[145] For Çelebi Halife, see Taş, i, 396–401; Mecdî, 284–6; for Seyyid Yahya, Taş, i, 401–5; Mecdî, 287–8; and for both, the articles by Kissling, Martin and de Jong cited in n. 140 above. Kissling (p. 243), while noting the *Shaḳā'iḳ* version, gives a rather different account, drawn from another source, of Çelebi Halife's attempt to meet Seyyid Yahya, but the present point is not affected. Martin (p. 280), without citing a source, dates Şeyh Alâeddin's visit to Istanbul between 1475 and 1480 (879–85), a dating which seems unlikely in view of the unrelated but complementary evidence in the *Shaḳā'iḳ* biographies of Molla Arab and Çelebi Halife.

[146] *Katā'ib*, f. 370a; Mecdî, 174; Sa'deddin, ii, 486. Taş/Rescher (p. 98) follows the printed text.

(f) that he was a Sufi. The evidence on this point is perhaps not entirely conclusive, but the words Molla Gürânî uses—notably *şeyh-i ilhâd* and *tövbe* (*tawba*) in an obviously pejorative sense—strongly suggest that the unnamed scholar was a Sufi, as objectionable as such as was Ali Kuşçu as a philosopher.

The second, fourth, fifth and sixth points (if the assumptions made in the last two are valid) are obvious points of contact with Molla Arab's career, while about the third point, as noted previously, one has no evidence which would enable one to identify the author (or indeed the object) of the elegy. As far as the first point is concerned, though none of the sources suggests that Molla Arab was a Varsak, it is clear from what Molla Gürânî says that the unnamed scholar had had some success in concealing his origins. From information outside the letter one may adduce one further point in favour of the identification of the object of Molla Gürânî's complaint as Molla Arab, namely that, as will be shown, the latter is said to have suffered a reduction in his salary at the Sahn from 80 akçe to 50 akçe a day 'when Bayezid II ascended the throne', which last phrase may justifiably be interpreted as meaning early in Bayezid II's reign. The reason for this reduction is said to have been spite on the part of some of the vezirs, but in view of Molla Gürânî's letter and the probable coincidence of timing of it and the reduction of Molla Arab's salary, it seems not altogether fanciful to suppose that the reduction may have been a response to Molla Gürânî's complaint. Against the identification of the unnamed scholar as Molla Arab the only argument appears to be the reported high regard in which Molla Gürânî held Molla Arab when the latter was his student; but one may note in this connection not only that such relationships may sour for any number of reasons in a matter of months, much less years, but also that the source for this account of their relationship is Molla Arab himself, and therefore, arguably, suspect. Given the vast amount that is *not* known about the careers of even the best known scholars living in the fifteenth century, it would be rash to conclude that the unnamed scholar can only be Molla Arab; yet the points of similarity appear to be enough to make it a reasonable identification.

To return to Molla Arab's career, then, one may—tentatively—use the evidence of the letter to suggest that Molla Arab was brought back from Manisa to teach at the Sahn at about the time of the arrival of Ali Kuşçu, that is, in late 876/spring of 1472. Though it has been suggested that Kâtib Çelebi's assertion that Molla Arab, as Sahn müderris, took over from Molla Hüsrev as Müfti in the late 870s is, if not wrong, at least without apparent foundation (see above, pp. 142–3), one may none the less take note of his statement that Molla Arab was at the Sahn during this period (from at least 877/1472–3) and consider whether, in the light of Molla Gürânî's letter, he may not have been acting as a müfti, if not the Müfti, even then.

Molla Arab seems to have remained at the Sahn for the rest of his life: Taşköprüzade mentions only two other events in his life, both of which seem

to be connected with his appointment at the Sahn. The first of these, already alluded to, concerns alterations to his salary. Towards the end of the reign of Mehmed II, that sultan assigned to him a salary of 80 akçe a day; but Bayezid II, on his accession, reduced this to 50 akçe a day as the result, so it is said, of spite on the part of some of the vezirs. Molla Arab balked at accepting the salary cut, but, on the advice of friends, did so; his salary was later restored to 80 akçe.

Some doubt is cast on one detail in this story by the *muhasebe* of Mehmed II's *vakıf* complex, quoted by Gökbilgin, in which it is shown that in 894–5/1489–90, well after the accession of Bayezid II (886/1481), Molla Arab was receiving 60 akçe a day as müderris at the fourth medrese of the Sahn.[147] Though the figure of 80 akçe given in the story would thus seem to be wrong, unless his salary was restored in stages, there seems to be no reason to doubt the general outline of the story. 50 akçe a day was the stipulated salary for a Sahn müderris,[148] but this must be regarded as a minimum wage since it frequently happened that müderrises, presumably particularly noted ones, received more than this basic sum. The *muhasebe* shows that six of the müderrises at the Sahn in that year received 50 akçe, one (Molla Arab) 60 akçe, and one 80 akçe, the latter sum being made up of 50 akçe 'in accordance with the *vakfiye*' and 30 akçe from the *zawā'id* (*zevaid*: surplus). The fact that the salaries were *ad hominem* and not in respect of the medrese is shown by the fact that the müderris of the sixth medrese, receiving 50 akçe a day, was replaced in the course of the year by a müderris who received 80 akçe a day.

The other event in Molla Arab's career mentioned in Taşköprüzade is, of course, his becoming Müfti with a salary of 100 akçe. The date of this appointment has already been discussed in some detail above, and it has there been noted (see above, p. 128) that the *muhasebe* shows him to have been both Müfti and Sahn müderris in the year 894–5/1489–90. The fact that Molla Arab held a teaching post as well as the Müftilik is not in any way surprising. Not only is it in general terms in line with the pattern of müderris/müftiliks described in Chapter II (pp. 62 et sqq.), but, as noted in the previous chapter (pp. 108–9), Molla Fenârî, Molla Yegân and Fahreddin Acemî all almost certainly taught at imperial medreses while Müfti. Molla Hüsrev likewise taught during his Müftilik, though whether on a private or an official basis is not known: after Ali Cemâlî Efendi had studied under Molla Hüsrev for a period, the latter sent him off to Bursa to study under another scholar, putting forward as an excuse the fact that he was too

[147] Gökbilgin, *EPL*, 304. Baltacı, relying on a work in MS. entitled *Tarih-i silsile-i ulema*, about the date and the nature of the contents of which he unfortunately gives no information, says that Molla Arab taught at the Başkurşunlu medrese, the first medrese on the 'Mediterranean' (*Akdeniz*: i.e., more immediately, the Marmara) side of the Sahn (*O. Med.*, 353–4). Whether this is the same as 'the fourth medrese' in the *muhasebe* is unclear, but in case of conflict the evidence of the *muhasebe* would seem to be decisive.

[148] *Fatih vakfiyeleri*, 263; but cf. above, Chapter II, n. 13.

busy with the giving of fetvas to spend sufficient time on him (see below, pp. 198–9). When Bayezid II built his mosque and medrese in Istanbul (the latter probably completed in 913/1507–8), he stipulated that the Müfti should be the müderris, a stipulation which seems to have remained in effect, in one form or another, until the end of the institution.[149] A close connection between the Müftilik and the Sahn in the period before 913/1507–8 is also indicated by the fact that when the Müfti Efdalzade died (908/1503), the eight Sahn müderrises took over the functions of the Müftilik until his designated successor, Ali Cemâlî, could return from the pilgrimage (see below, pp. 205 et sqq.). Yet another indication of a possible link between the Müftilik and the Sahn is the fact that the medrese in the Sahn to which Ebüssu'ûd Efendi was appointed (in 934/1527–8) was called the Müfti medrese.[150] On the assumption that the name is in some way connected with the Müftilik, it may, of course, indicate no more than that one particular Müfti, possibly Molla Arab, was associated with it. Whether in fact it was standard practice for the Müfti to teach, perhaps at an imperial medrese in the capital city, before 913/1507–8 cannot be determined because of lack of evidence on that point in the lives of several of the Müftis; but such a practice seems at least not to have been unusual.

Sa'deddin mentions an incident during Molla Arab's Müftilik that merits attention, namely his intimate involvement in the peace negotiations in 895–6/1490–1 which brought to an end the long drawn-out war (890–6/1485–91) between the Ottomans and the Mamlûks in Anatolia.[151] According to Sa'deddin, in 895/1490 the Mamlûks laid siege to Kayseri and subsequently laid waste the environs of Niğde, Ereğli, and Larende (Karaman). Bayezid II sent out an army under the future Grand Vezir Hersekoğlu Ahmed Paşa and himself began preparations for a major campaign. At some point in the same year an ambassador came from the ruler of Tunis,[152] who hoped to act as mediator between the two great Islamic powers. The opinion of many Ottomans seems to have been against

[149] See below, pp. 208–10. Baysun ('Mesacid. F. 10. Osmanlı devri medreseleri' in *İA*) says that it was later found impossible for the Şeyhülislâm to carry on teaching and that the Bayezid II medrese was then administered by a *vekil* (*wakīl*), who, in turn, became the source of the *ders vekaleti* in the office of Şeyhülislâm, which administered student affairs. See also the passage from Râşid cited in Uzunçarşılı, *İT*, 50, from which it would appear that the Şeyhülislâm was still in the early eighteenth century the müderris of the Bayezid II medrese, at least in name.

[150] Atâ'î, 184.

[151] Sa'deddin, ii, 65–9. See also İdris, ff. 545b–546a; Danişmend, i, 391–2; Uzunçarşılı, *OT*, ii, 185–7, who bases his account mainly on the *Badâ'i' al-zuhūr fī waḳā'i' al-duhūr* of Muḥammad b. Iyās (Ibn Iyās: d. *c.* 930/1523–4); and Selâhattin Tansel, *Sultan II. Bâyezit'in siyasî hayatı*, Istanbul, 1966, 112–15.

[152] Identified by Sa'deddin as Sultan 'Uthmān Tūnisī. Danişmend points out that as that sultan died in 893/1488, the peace embassy must have been sent by his successor, Abū Zakariyyā' Yaḥyā III (cf. H. R. Idris, 'Ḥafṣids' in *EI²*, however), although the former may have initiated it.

making peace. The majority of the ulema gave fetvas declaring the legality of the shedding of the blood of enemies, while certain of the leading men of the state incited the sultan to take revenge on the Mamlūks. The Müfti, Molla Arab,[153] argued strongly for peace, however, being himself of Syrian origin and having kept up contact with the rulers of his native land. He asserted that those who had given fetvas declaring the legality of fighting were in error, and he continually appealed to the sultan to end the war, advancing among other arguments the desire of the Mamlūks for peace. When Bayezid II heard the news that the marauding force had withdrawn at the approach of the Ottoman army,[154] he accepted Molla Arab's view, and peace was concluded in Jumādā II 896/April–May 1491.

Âşık Çelebi mentions yet another incident in which Molla Arab was involved during the period of his Müftilik, namely the famous examination (*teftiş*) of Molla Lûtfi for heresy, as a result of which Molla Lûtfi was executed on 25 Rabī' II 900/23 January 1495.[155] According to Âşık Çelebi,

[153] 'Mevlânâ Zeyneddin Ali Arabî, who was at that period the Müfti of the Age (*müfti-i zaman*).' (Sa'deddin, ii, 67.) Sa'deddin has almost certainly taken the *laḳab* Zeyneddin from İdris (f. 545b). Whether İdris's giving Zeyneddin is an error, or whether that name may have been an alternative to Alâeddin, by which Molla Arab is more usually known, is not clear. It seems unlikely that the statement could refer to anyone other than Molla Arab.

It should be noted that Sa'deddin appears to go further than İdris in identifying Molla Arab as the Müfti since İdris does not refer to Molla Arab in such a manner as to enable one to identify him with any assurance as such, though he does refer to him, in a probably formulaic way, as 'amongst the great ones of the ulema of the Faith and the givers of fetvas (*ahl-i fatwā*)'.

[154] Though Ibn Iyās, as quoted by Uzunçarşılı, agrees with Sa'deddin that the Mamlūks withdrew, Danişmend calls this a weak tradition, saying that there is a stronger tradition to the effect that the Mamlūks met and defeated the Ottomans. If such were the case, it would, of course, provide a stronger motive for Bayezid's deciding to agree to a peace.

[155] Âşık Çelebi, ff. 105b–106a. Âşık Çelebi does not mention Molla Arab's office, but the date of the incident is within the period of Molla Arab's Müftilik (cf. pp. 191–2 below). For Molla Lûtfi, see also Taş, i, 413–19; Mecdî, 295–300. Mecdî's account of the trial is very much fuller than that in Taş, but unfortunately he does not give the source of the additional material. The date of Molla Lûtfi's execution is taken from Mecdî (p. 297), who says that it was a Tuesday, though it would appear in fact to have been a Friday. Âşık Çelebi writes that he was executed in 899/1493–4, but the two chronograms which he gives, one for his imprisonment and one for his execution (the latter is also given in Mecdî), both appear to work out to 900. See also the brief mention of the affair in one MS. (R) of the *Anonymous* (variants, 360) and in Uruc (now translated by Richard F. Kreutel as *Der fromme Sultan Bayezid*, Graz-Wien-Köln, 1978, 79), where the incident is dated in 900, and, by implication, before Jumādā I of that year. I am grateful to Professor Ménage for drawing my attention to these last two references.

Parmaksızoğlu has recently published the text of a *risale*, in Arabic, which includes an account of the Molla Lûtfi incident (İsmet Parmaksızoğlu, 'Molla Lutfî ile ilgili yeni bir belge', *Belleten*, xliv (1980), 675–82). The *risale*, which is of particular interest in apparently establishing the sequence of events, is anonymous; but while the case which Parmaksızoğlu makes for its having been written by either Hatibzade or, more likely, Molla İzârî (for whom see just below in the text) is weak, there seems to be every reason to

Molla Arab was one of the scholars who were doubtful of Molla Lûtfi's orthodoxy and had suffered from his sharp tongue: the author quotes an exchange of words between the two in the presence of Mehmed II—the incident must therefore have taken place before 886/1481—in which Molla Arab attacks Molla Lûtfi's beliefs, accusing him of too great devotion to the philosophical sciences and of ignorance of the religious sciences, only to be met by a biting rejoinder. Âşık Çelebi states that in the examination Molla Arab and Molla Muḥyi 'l-Dīn Muḥammad b. Tāj al-Dīn Ibrāhīm (Hatibzade),[156] the faults in one of whose works Molla Lûtfi had promised to expose, were the two who gave fetvas declaring the legality of the execution.

Âşık Çelebi is the only one of the early sources who mentions Molla Arab's part in the examination. Taşköprüzade mentions only two partici-

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suppose that the *risale* was written not long after the event.

The Arabic text presented (ibid., 676–7) is manifestly corrupt at several points, but the sequence of events nevertheless seems fairly clear. Molla Lûtfi was reported to the sultan (Bayezid II) as having led a great many people astray. The sultan turned the matter over to 'the great ones (*akābir/ekâbir*) and the kazaskers' (and thus, presumably, to the divan). Witnesses were brought, whose testimony led to a great outcry against, and, apparently, actual physical assault on, Molla Lûtfi, who, in turn, replied with heretical words. The kazaskers and 'certain of the ulema' related what had gone on to the sultan, who charged 'those present'—presumably the deputation—collectively to give judgment according to the şeriat. Opinion was divided, but after a great deal of dispute and argument, agreement was reached that Molla Lûtfi should be executed. The vezirs then entered and approved the decision, which, after confirmation by the sultan, was duly carried out.

Neither Âşık Çelebi nor Mecdî gives as clear a picture of the procedure as the *risale*—on the assumption that the *risale* is correct, it would seem that both, for example, have conflated the meeting in the divan and the later deliberations—but the value of their accounts is to flesh out the apparently acrimonious debate amongst the ulema over Molla Lûtfi's fate, a debate which is discussed below in the text and about which the *risale* gives no details. With respect to Parmaksızoğlu's analysis of the *risale*, it should be noted that both the date which he gives for Molla Lûtfi's execution (Thursday [Wednesday] 25 Rabī' I 900/24 December 1494: pp. 675, 682) and his claim that Molla İzârî hesitated over giving the fetva for Molla Lûtfi's execution (p. 675, n. 2; p. 682) directly contradict Mecdî's account.

[156] Taş, i, 231–6; Mecdî, 166–71. It is not absolutely certain what Hatibzade's position was at the time of the trial. The *muhasebe* of the Sahn for the year 894–5/1489–90 shows him to have been in retirement in that year with a pension of 80 akçe a day (Gökbilgin, *EPL*, 305). A story in the *Shaḳā'iḳ* refers to the fact that he was in retirement with a pension of 100 akçe while Molla Efdalzade was Müfti (Taş, i, 232–3; Mecdî, 167–8): since Efdalzade fairly certainly did not become Müfti until 901/1496, the same year in which Hatibzade died, the latter must also have been in retirement in that year. It seems probable that he spent his last years as a retired Sahn professor and that it was a such that he took part in the trial of Molla Lûtfi, though his presence there resulted, perhaps, not so much from his position as from the fact that he was one of the chief plaintiffs, if not the chief one. It should be noted that retired scholars of a certain level retained perquisites apart from their pensions and thus, arguably, a certain standing: cf. the entry in the *Mühimme Defteri* cited above (Chapter II, n. 75) which lays down that retired scholars with pensions of 80 akçe are each to be allowed to invest three *mülâzıms*.

pants: Molla Efdalzade, who would not declare Molla Lûtfi guilty,[157] and Hatibzade, who did. In Mecdî's expanded account, four participants are named: Hatibzade and Molla İzârî,[158] who declared Molla Lûtfi guilty without hesitation; and Molla Efdalzade and Molla Muḥyi 'l-Dīn b. Muḥammad, known as Molla Akhawayn (Molla Ahaveyn), who 'hesitated' and, as far as can be judged from Mecdî's account, never did declare him guilty.[159] The later sources have followed either Taşköprüzade or Mecdî, but in any case do not mention Molla Arab.[160]

Despite the fact that Taşköprüzade does not mention Molla Arab's presence and the other sources either have been unaware of or have ignored Âşık Çelebi's statement that Molla Arab was one of those chiefly responsible for bringing about Molla Lûtfi's execution, there is good reason to suppose that Âşık Çelebi's version is correct and some reason to suspect Taşköprüzade of having whitewashed Molla Arab by omitting mention of his part in the affair. It is clear that Taşköprüzade regards the execution as a shameful miscarriage of justice; he likewise displays a considerable bias against Hatibzade, whose inordinate arrogance and vanity are illustrated by several anecdotes. His account of Molla Arab's life, if not unusually favourable, is certainly not unsympathetic; and it must be remembered that his father studied under Molla Arab. In view of these facts, it seems possible to suggest that Taşköprüzade, motivated perhaps partly by a personal bias in favour of Molla Arab inherited from his father and partly by respect for the office which Molla Arab held, has ignored the part played by Molla Arab by the

[157] For the position at the time of the trial of Molla Efdalzade, Molla Arab's successor as Müfti, see below, pp. 191–2. His presence is also mentioned by Âşık Çelebi, who states that he did not give any fetva at all.

[158] Taş, i, 419–21; Mecdî, 300–1. Molla İzârî seems likely to have been müderris at the Sahn at the time of the trial. His last appointment, according to the *Shaḳā'iḳ*, was as müderris at the Sahn, in which capacity he died in 901/1496. Sehî (p. 40) also says that he died as Sahn müderris, though he does not give the date. The Sahn *muhasebe* shows him to have been müderris in the eighth medrese for the first part of the year 894–5/1489–90 with a salary of 50 akçe daily (Gökbilgin, *EPL*, 304) but to have been replaced in the course of the year. Whether he was later reinstated on an active basis or whether, possibly like Hatibzade, he remained in retirement is not certain, though the earliest evidence supports the former possibility.

[159] According to Âşık Çelebi, however, Molla Ahaveyn hesitated at first but later gave a fetva. For Molla Ahaveyn, see Taş, i, 291–2; Mecdî, 207. Again, Molla Ahaveyn seems to have been a müderris at the Sahn, this being the last appointment mentioned in the biography of him in Taş, although Mecdî adds the vague statement that he ascended to the high ranks without specifying the ranks. The Sahn *muhasebe* shows him to have become müderris at the sixth medrese on 1 Dhu 'l-Ḥijja 894/26 October 1489 with a salary of 80 akçe (Gökbilgin, *EPL*, 304).

[160] See the *Katā'ib*, f. 388b; Sa'deddin, ii, 547; Âli, Add. 10,004, ff. 61a–b; *SO*, iv, 90–1; M. Şerefeddin Yaltkaya, 'Molla Lûtfî', *Tarih Semineri Dergisi*, ii (1938), Istanbul, 35 et sqq.; Uzunçarşılı, *OT*, ii, 656. Four early sources not dependent on Taş mention the examination without mentioning the participants: the passages in the MS. of the *Anonymous* and in Uruc referred to above; Sehî, 41; and Latîfî, 295–7.

simple expedient of omitting mention of him and has made the unpopular Hatibzade the moving force in what was to him a shameful incident. The later authors are, of course, greatly influenced by Taşköprüzade; but in so far as any of them took account of Âşık Çelebi's statement, they too may have dismissed it as a serious blot on the record of one of the holders of what was certainly by their time the highest ranking religious office in the state.

Some support is also given to Âşık Çelebi's statement by the fact that it seems to have been not uncommon for the Müfti to take part in examinations for heresy. It will be noted below that in certain sixteenth-century examinations of which there is a reasonably detailed record, the earliest of which occurred in 1527, the Müfti was in one way or another involved; and one examination, that of Oğlan Şeyh (935/1528–9), seems to have been carried out with the Müfti and several Sahn müderrises as the principal participants (see below, pp. 236–8). One might also note the shadowy incident of the mystic who came from Persia to Istanbul proclaiming himself a messenger of the Messiah, who was executed in 899/1493–4, the year before Molla Lûtfi's execution, after an examination in an assembly of the ulema, of whom Molla Efdalzade (see below, pp. 191–2), Molla Arab (almost certainly Müfti), Molla Kestelli and Hacıhasanzade, the (Rumeli) kazasker are named.[161] If one recalls also that Molla Gürânî, while Müfti, was the moving force in the attempt to call İbn Vefa to account (see above, pp. 173–4), one might reasonably conclude that the Müfti was frequently involved in matters of this sort, though it cannot be said that he was necessarily involved. In the Molla Ḳābiḍ (Kabız) incident in 934/1527 (see below, pp. 234–6), for example, the latter was brought by certain of the ulema before the divan and turned over by the Grand Vezir to the two kazaskers for examination; and it was only when they failed to overcome him in argument that the Müfti and the kadı of Istanbul were summoned.[162] Nevertheless, in view of the circum-

[161] The incident is mentioned in the *Anonymous* (variants, 360) and in a more extended and intelligible form in Uruc (Bibl. Nat. MS. suppl. turc 1047, f. 112b (kindly shown to me by Professor Ménage); Kreutel's translation, as above, pp. 76–7). What appears to be 'Kestelli' in the MS. of Uruc, and is so read by Kreutel, is not found in the *Anonymous* version. As mentioned above (p. 149), there is no very certain information in the sources on the later years of Molla Kestelli's life. It should be noted that Efdalzade is referred to in all the texts as 'Mevlânâ Efdaleddin': cf. below, n. 181.

[162] The evidence of the *risale* suggests that the procedure in the case of Molla Lûtfi resembled that in the case of Kabız, but it is not clear with respect to the former, as it is with respect to the latter, *why* the case was not settled in the divan. Parmaksızoğlu (op. cit., 682) deduces that the kazaskers did not [could not ?] arrive at a decision. It is clear that the matter appears to have turned out to be beyond their ability and/or competence to resolve, but whether the case was so difficult that they were unable to reach a decision, whether the gravity of the decision—to execute a member of the ulema—required further consultation, or whether some other factor was involved is not immediately apparent.

One other point concerning the procedure deserves attention, namely that Parmaksızoğlu's statement that the decision to put Molla Lûtfi to death 'was able to be taken [only] after long debate in the second meeting in the divan' (Parmaksızoğlu, loc. cit.) obscures the fact that the decision appears to have been taken by the deputation (the *ḫādirīn* presumably

stantial nature of Âşık Çelebi's account, of the possibility that Taşköprüzade is guilty of bias, and of the seemingly common participation of the Müfti in this kind of case, it seems entirely possible that Âşık Çelebi is right in his assertion that Molla Arab took part in the examination of Molla Lûtfi.

More than any other of the fifteenth-century Müftis, Molla Arab seems to have been devoted to Sufism: though Molla Fenârî was certainly a practising Sufi, Sufism seems not to have played the part in his everyday life that it did in the life of Molla Arab. In addition to recording several of the miracles which he performed, Taşköprüzade relates from his father that frequently during lessons Molla Arab would be overcome by an inner voice (*ṣawt al-dhikr min ḳalbihi*) which silenced him for more than an hour. He seems also to have been in the habit of convoking a mystic service (*majlis al-dhikr*) each Friday after the prayer, during the course of which he often became so intoxicated that he would lose his senses. When this happened he would be unable to teach on Saturdays, teaching on Mondays instead.[163]

One other fact about Molla Arab merits attention, namely the enormous number of his progeny. Though the printed text of Taşköprüzade says that he fathered sixty-seven children, the manuscript of Taşköprüzade, as well as el-Kefevî, Mecdî and Sa'deddin, states that he had ninety-nine children.[164] The fact that the latter four sources are agreed would seem to indicate that

being those in the sultan's *ḥuḍūr*); to have been expressed through fetvas (as was the decision, just mentioned, to execute the Persian claiming to be the messenger of the Messiah: *âkibet ulemalarımızın ittifakiyle fetva verip katlettiler* (Uruc, loc. cit.)); and then to have been confirmed by the vezirs (who were clearly not present when the decision was taken) and subsequently by the sultan. With respect to the decision's being expressed through fetvas, Âşık Çelebi is explicit on this point, but Taşköprüzade's use of *ḥakama* should be noted. It is not at all clear that a formal *ḥukm* was necessary in these cases where, in practice as well as in theory, the final decision lay with the sultan (cf. Heyd, *Criminal Law*, 254–7, on the sultan's role in sentencing). A formal *ḥukm* does appear to have been issued by the kadı of Istanbul in the case of Kabız, and it may be that Taşköprüzade's meaning is that the giving of a formal *ḥukm* is what Efdalzade (as kadı of Istanbul ?) refused to do and Hatibzade (in what capacity ?) did. It is doubtful, however, that even if Taşköprüzade's use of *ḥakama* is to be understood in this narrow, technical sense, Mecdî's use of variants of *ḥakama* can be read in the same way since a formal *ḥukm*, if required at all, would have come from only one competent authority and would not have involved the quite wide consultation mentioned in his account. Cf. Ebüssu'ûd Efendi's use of variants of *ḥakama* with respect to his own and Molla Şeyhî Çelebi's decisions referred to in the *Şeyh Gazanfer'e dair cevapname* (below, pp. 236–7).

[163] According to the *Shaḳā'iḳ*, müderrises generally taught a five-day week, with Fridays and Tuesdays as holidays, until the time of Molla Fenârî, when the works of al-Taftāzānī (d. 792/1389–90) became popular. There was much demand to study them, but so few copies existed that the students themselves had to copy them. To allow them time to do so, Molla Fenârî instituted Monday as an additional holiday (Taş, i, 90–1; Mecdî, 51). Sa'deddin (ii, 414), in relating this story, writes that the practice has remained such, presumably to his own time. Baltacı's apparently unsupported statement that Thursday (rather than Monday) was a holiday (*O. Med.*, 43) would seem to need correcting.

[164] Taş, i, 243. Mecdî, 176; *Katā'ib*, f. 370a; Sa'deddin, ii, 487. Taş/Rescher (p. 99) gives sixty-seven.

here again the printed edition has departed from the original text of Taşköprüzade. About fifteen of his children seem to have survived him. In an unusually contradictory and unhelpful *tezyil*, Mecdî improves somewhat on the story of the number of his children, saying that he had one hundred children, all male, to each of whom he gave one of the ninety-nine names of Allah; the hundredth child he called 'Abd al-Nabī.[165] Mecdî goes on to say that while Molla Arab had no daughters, his sons had no sons, a statement which is contradicted by a story faithfully translated by Mecdî in the text concerning a miraculous cure by Molla Arab of a sick grandson.

Molla Arab died as Müfti of Istanbul in the year 901/1495–6 and was buried in Eyüp.[166] Only three works give the month of his death: Rifat Efendi and Danişmend, who give Rajab 901/March–April 1496; and the *Sicill-i Osmanî*, which gives Shawwāl 901/June–July 1496.[167] The sources for these statements are not clear, however, and there seems to be no way to determine which, if either, is correct.

Efdalzade

Molla Arab's successor as Müfti, and the last of the fifteenth-century Müftis, was Molla Ḥamīd al-Dīn b. Afḍal al-Dīn al-Ḥusaynī, known as Efdalzade, who, according to Hüseyin Hüsameddin, was a native of Amasya.[168] His father was an *'ālim*, and it was under him that Efdalzade first studied. He then studied under 'the ulema of his time', finally working under Molla Yegân, though whether he studied under the latter while Molla Yegân was at the Manastır medrese, and thus probably before 844/1440, or while he was in retirement is not clear. Having completed his studies, Efdalzade received an appointment as müderris at the Kaplıca (Murad I) medrese in Bursa.

[165] The story of the 100 sons may well be a reflection of what appears to be a form of well-wishing at a wedding: cf. Kipling's *Kim*, in which, when the hero meets a wedding party on the road, he calls out the wish that the bride may have 100 sons and no daughters (*Kim*, London, 1902, 88). Molla Arab certainly had a number of sons with the names of Allah in their names (e.g. 'Abd al-Raḥīm (*Katā'ib*, f. 370a); 'Abd al-Bāḳī (*Katā'ib*, loc. cit.; Atâ'î, 38–9); 'Abd al-Majīd (Barkan/Ayverdi, doc. 1102)); and he also had a son named 'Abd al-Nabī (TS/D8823, 4 (left), shown as a 'new *mülâzım*'). The story seems to be spoiled, however, by a 'Bayezid [? – only the last three letters are legible] Çelebi b. Molla Arab', listed as the kadı of Kütahya in TS/D8823, 18 (right). The *muhasebe* for the Sahn for 894–5 shows five sons of Molla Arab to be receiving pensions (Gökbilgin, *EPL*, 305).

[166] A marginal note in Mecdî (p. 176), Müstakimzade (f. 5a) and Rifat Efendi (p. 13) all give the precise location of his grave. The first two also say—wholly inconsistently—that Molla Arab held the Müftilik for eight years in the time of Abu 'l-Fatḥ (Mehmed II: cf. Atâ'î, 38, and above, p. 143). A joint chronogram for the deaths of Molla Arab, Molla İzârî and Molla Kestelli, all of whom died in 901, is to be found in Mecdî's *tezyil* to the biography of the last-named (Mecdî, 166).

[167] Rifat Efendi, 13; Danişmend, i, 434. *SO*, iii, 487.

[168] Hüsameddin, *Amasya*,' iii, 241. For Efdalzade, see Taş, i, 267–70; Mecdî, 191–3; *Katā'ib*, ff. 370b–371b. From his *vakfiye*, summarized in Barkan/Ayverdi, doc. 1137, it would appear that his name was Ahmed, his father's Mehmed.

He seems to have remained in this position until early in the reign of Mehmed II (began 855/1451), when he was removed, for what reason is not known. Coming to Istanbul, he chanced to meet Mehmed II walking through the streets with some of his slaves. According to Efdalzade's own account, the sultan recognized him and bade him come to the divan the next day. At the divan the sultan announced to his vezirs that he had appointed Efdalzade müderris at the medrese of Murad II in Bursa[169] with a salary of 50 akçe a day and food from the *imaret*. When Efdalzade went to accept the appointment, Mehmed II bade him busy himself with *ilm*; so seriously did he take the sultan's advice that his beard fell out from overwork, causing certain of his enemies to accuse him of having contracted a terrible (*hā'il*) disease.

Efdalzade continues that he was next appointed to one of the Sahn medreses. During his tenure there, a great plague struck Istanbul while Mehmed II was away on campaign. Though Efdalzade moved with his family to a village outside Istanbul, he went to the city to teach on the prescribed days.[170] On Mehmed II's return, he rewarded Efdalzade for his faithfulness with the gift of two prisoners taken on the campaign, while giving each of the other ulema only one: here Efdalzade's own account breaks off.[171]

To one fact in the story it is now possible to put a date, namely his appointment to the Sahn: a *berat*, mentioned previously, shows him to have been appointed to the Sahn with 50 akçe a day on 23 Shawwāl 877/23 March 1473.[172] It is, unfortunately, less easy to be specific about the circumstantial

[169] Rifat Efendi (p. 14), followed by *İS* (p. 341) and Altunsu (p. 12), locates this medrese in Istanbul, but it is impossible that Murad II should himself have founded a medrese there.

[170] See above, n. 163. According to Mecdî (p. 192), he taught four lessons on the four customary days, whereas Taş, i, 269, merely says that he taught four books on the customary days (as do the *Katā'ib*, f. 371a, and Sa'deddin, ii, 497).

[171] In Taş and Taş/Rescher (p. 111), Efdalzade's direct speech ends just before the statement that Mehmed II gave him two prisoners, while in the *Katā'ib* (f. 371a), the direct discourse includes the gift of the two prisoners: the latter is perhaps the more logical, though not, of course, correct on that account. In Taş MS. the direct discourse carries on through his appointment to the kadılık of Istanbul (*thumma ja'alanī* ...); were this correct, it would have important implications for the dating of his appointment to that office (see just below in the text), but the weight of evidence appears to be against such a reading. Neither Mecdî nor Sa'deddin (ii, 497) indicates the direct discourse.

Rather unusually, Taşköprüzade does not say from whom he heard this. It seems unlikely that he heard it direct from Efdalzade since he was only seven years old when Efdalzade died. It may be that he heard it from his father or, perhaps, from his own teacher, Fenârîzade Muhyiddin Çelebi, later a Müfti (see below, pp. 263–72), who studied under Efdalzade and from whom Taşköprüzade quotes some material about him later in the article.

[172] See above, pp. 131–2. Baltacı (*O. Med.*, 375, 439) writes that he was appointed to the Çifte Ayakkurşunlu medrese, the third on the 'Black Sea' (*Karadeniz*, i.e., more immediately, the Golden Horn) side of the Sahn.

story of the plague and the campaign. In the years before the early summer of 883/1478, by which time Efdalzade appears to have become kadı of Edirne, Mehmed II campaigned to the east against Uzun Hasan in 878/1473 and into Moldavia in 881/1476; but while the plague seems to have flared up frequently during the years of Mehmed's reign,[173] there does not seem at the moment to be any way of being certain to which campaign and which outbreak of the plague Efdalzade is referring.

About the next steps in Efdalzade's career there is some confusion. According to the *Shaḳā'iḳ* account, he was made kadı of Istanbul by Mehmed II, and then, in the time of Bayezid II (began 886/1481), he became Müfti. That this is an over-simplification of his further career is indicated first by Mecdî's *tezyil*, for Mecdî there refers to the *imḍā'* (*imza*) validating the *vakfiye* of the Kasım Paşa mosque in Edirne and quotes from it the actual signature of Efdalzade as kadı of Edirne. Mecdî gives no date for the *vakfiye*, but Gökbilgin quotes an inscription on the mosque which shows it to have been built in 883/1478–9. One finds also in Gökbilgin a notation of the *vakfiye* of a *mescid* signed by Efdalzade as kadı of Edirne and dated the first part of Rabī' I 883/early June 1478.[174] Both signatures, of course, confirm the fact that Efdalzade was kadı of Edirne; and while the date of the *vakfiye* mentioned in Mecdî may possibly be only roughly related to the date of the building of the mosque, the signature on the *vakfiye* cited in Gökbilgin provides reasonably strong evidence that he was kadı in Rabī' I 883/June 1478.

Some confusion also exists about the date of his appointment as kadı of Istanbul. The *Shaḳā'iḳ* explicitly states that Mehmed II appointed him to that post, and it is explicit in Mecdî, and perhaps implicit in Taşköprüzade, that the appointment was made not long after his being honoured by being given the two prisoners. el-Kefevî gives a more detailed account, writing that Efdalzade was appointed to the kadılık of Istanbul in place of Hacıhasanzade, who had been appointed Anadolu kazasker, in the year Mehmed II died, that is, 886/1481.[175] In another article in the *Shaḳā'iḳ*, however, namely that on Müeyyedzade, there occurs a statement related to Efdalzade's appointment which is so circumstantial that it is difficult to doubt its truth: 'Then the aforementioned Molla [Müeyyedzade] married the daughter of Molla Muṣliḥ al-Dīn al-Ḳasṭallānī on 17 Rabī' I 891 [23 March 1486]. Sultan Bayezid gave him on that day one of the Eight medreses [the Sahn]; and it was the medrese of Ibn Afḍal al-Dīn, who had been transferred from it to the kadılık of

[173] See, for example, Babinger, *Mahomet II*, 366 (1472), 414, 419 (1475), and his general comment on p. 430.

[174] Mecdî, 193; Gökbilgin, *EPL*, 48, n. 58; 339. Hibrî (ff. 47b–48a) includes Efdalzade in his list of kadıs of Edirne on the basis of Mecdî's *tezyil*.

[175] *Katā'ib*, f. 371a (the text of R, though giving the essential details, is deficient at this point and has been made good from V and EE). Müstakimzade (f. 5b) also gives 886, probably following el-Kefevî. On the view that Hacıhasanzade became Anadolu kazasker in 886, cf. above, Chapter I, n. 61.

Constantinople.'[176] The strongest evidence in the biographical sources thus suggests that Efdalzade was appointed kadı of Istanbul by Bayezid II and not by Mehmed II, unless, of course, he were appointed to the office twice.

Documentary evidence which suggests that he held the office but once and which allows one, moreover, to fix his tenure of the office with some accuracy is to be found in Barkan/Ayverdi, where there are notations of some twenty-nine documents signed by Efdalzade, twenty-seven of them spread between early Dhu 'l-Ḳa'da 890/mid-November 1485 and late Jumādā I 898/mid-March 1493.[177] With respect to the two which fall outside this period, dated 874 and 877, it is easier to suppose, in the light of all the biographical and documentary evidence, that his signature was added to these during his period of office in the 890s than to suppose that he was kadı in those years.[178] Only one of the twenty-seven later documents falls before the date of Müeyyedzade's succeeding him at the Sahn, namely the one dated early Dhu 'l-Ḳa'da 890/mid-November 1485; and while it is possible that Efdalzade was kadı at that time, this would mean that the medrese at the Sahn at which he had been teaching would have remained vacant for over four months. It seems more likely, first, that his signature on this document also was for some reason added at a later date, as has been suggested in the case of the documents dated 874 and 877; and second, that he was in fact appointed to the kadılık of Istanbul on, or only shortly before, the date of Müeyyedzade's appointment to his medrese at the Sahn. The date of his leaving the office cannot be so precisely fixed. As noted, the last of his documents is dated late Jumādā I 898/mid-March 1493, and the first of a run of twenty-one documents signed by the man who was almost certainly his successor (there are no intervening documents signed by anyone likely to have been kadı of Istanbul), namely Molla Yūsuf b. Ḥusayn al-Kirmāstī, is dated early Rabī' II 899/mid-January 1494.[179]

[176] Taş, i, 433–4 (Mecdî, 309). For Müeyyedzade, see also Gökbilgin, 'Müeyyed-zâde' in *İA*. It is almost certain that the 'Mevlânâ Abdurrahman Çelebi' shown in the Sahn *muhasebe* as teaching in the fifth medrese in the year 894–5 with 50 akçe (Gökbilgin, *EPL*, 304) is Müeyyedzade. It might be noted here that *İS*, 341, does in fact say that Efdalzade was appointed kadı of Istanbul in the reign of Bayezid II.

[177] The documents are all listed under 'Hamid b. Efdal (Mevlânâ)' in the Index, A. II., of Barkan/Ayverdi. The first two of the later set are docs. 1572 and 1126, the last, doc. 1067. I cannot identify the Ali b. İbrahim, seven documents bearing whose signature and dated between mid-Rabī' II 893/late March 1488 and mid-Ṣafar 897/mid-December 1491 are also noted in Barkan/Ayverdi (Index, A. II., s.v., where the date after 1262 should be corrected to 893). The biographical and documentary evidence for Efdalzade's having held the post during this period is sufficiently strong and consistent, however, that one would seek some other reason for these signatures than that Ali b. İbrahim was kadı of Istanbul.

[178] See above, pp. 130–2. The possibility that he held the kadılık in 874, interrupting Molla Hüsrev's tenure, or, more likely, in 877, between Molla Hüsrev and Hocazade, cannot be entirely ruled out, however.

[179] Barkan/Ayverdi, doc. 1489. The run continues to mid-Dhu 'l-Ḥijja 903 / early August 1498: see Barkan/Ayverdi, Index, A. II., entries under 'Yusuf b. Hüseyin' and 'Yusuf b. Hüseyin (Mevlânâ)', to which should almost certainly be added the entries

In the light of the above information, then, one may give a more complete picture of Efdalzade's career than that given in the *Shaḳā'iḳ*. After Mehmed II appointed him to the Sahn, he seems next to have become kadı of Edirne for a period including the year 883/1478–9. He must then have returned from the latter post to the Sahn, since it was from there that he was appointed to the kadılık of Istanbul on, or not long before, 17 Rabī' I 891/23 March 1486; and he would seem to have remained in that post at least until Jumādā I 898/March 1493, but probably not later than Rabī' II 899/January 1494.

Efdalzade's only other appointment mentioned in the sources is that to the Müftilik of Istanbul, almost certainly in 901/1496 on the death of Molla Arab. While el-Kefevî appears to be the first to make this latter fact explicit, the *Shaḳā'iḳ* account saying merely that he became Müfti in the time of Bayezid II,[180] it is implicit even in the *Shaḳā'iḳ* that he followed Molla Arab since it is there stated that Molla Arab died as Müfti in 901 and Efdalzade as Müfti in 908/1502–3 (but 903/1497–8 according to Mecdî: see below). What Efdalzade did in the few years between his leaving the kadılık of Istanbul and his accession to the Müftilik is not known but is of more than usual interest since, as noted above, all the sources are agreed that he was one of the participants in the trial of Molla Lûtfi in Rabī' II 900/January 1495.[181] It may be that he had returned once again to the Sahn, or it may be that he was involved simply as a senior and very experienced member of the ulema: one cannot, unfortunately, be sufficiently positive about the position—in some cases even about the identity—of any of the participants to enable one to deduce in what capacity Efdalzade took part in the trial. Both el-Kefevî, in a brief mention of the incident in his biography of Hatibzade, and Sa'deddin

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under 'Yusuf b. Hasan (Mevlânâ)' and doc. 1608, signed simply 'Mevlânâ Yusuf'. '(899–902)' in the index entry should read '(899–903)' and doc. 2299 should be added to that list; while doc. 1540 is dated in the text 942, though perhaps it should read 902. No other ready explanation suggests itself for this or for the other, later documents dated 909, 933 and 950. It should be noted in connection with Efdalzade's position at the time of the trial of Molla Lûtfi (see just below in the text) that the spread of the documents is such as to suggest strongly that Yusuf b. Hüseyin had by that time been kadı for some months.

For Yusuf b. Hüseyin, see Taş, i, 316–17; Mecdî, 224–5, where it is said that he died 'about 900': the documents are thus useful in providing at least a *terminus post quem* for his death. Cf. *HA*, ii, 563, where his death date is given as 906 (1500–1).

[180] Müstakimzade (f. 5b) writes that when Molla Arab died, according to the account of the author of the *Shaḳā'iḳ*, Efdalzade became Müfti in 901/1496. It seems, however, that Müstakimzade has taken this from the *Katā'ib* (f. 371a) and simply credited the wrong source.

[181] Taş, Mecdî and el-Kefevî (f. 388b), in their accounts of this examination, speak of 'Molla Efḍal al-Dīn' rather than Ibn Efḍal or Efdalzade, perhaps, in so doing, following the early chronicles: cf. above n. 161. There can be little doubt that they mean Efdalzade, however, since none of them includes an article on an Efḍal al-Dīn in this period, as they must have if there had been a scholar of that name of sufficient importance to have taken a leading part in the trial of Molla Lûtfi. The later sources have in any case all assumed Efdalzade to be the scholar intended.

say that Efdalzade was Müfti at the time of the trial, in doing which, however, they apparently contradict the faithfully reproduced statement from the *Shaḳā'iḳ* that Molla Arab died as Müfti in 901.[182] There are grounds for supposing their statement that Efdalzade was Müfti to be no more than an only slightly careless assumption; but if it does prove to rest on a solid foundation, one would, of course, have to reassess the fairly consistent biographical information about the end of Molla Arab's Müftilik and the beginning of Efdalzade's.

The sources are agreed that Efdalzade remained in the office of Müfti until his death, about the date of which there is, however, some dispute: Taşköprüzade, for example, records 908/1502–3, while Mecdî gives 903/1497–8. As the question of the date of his death is intimately connected with that of the succession of the next Müfti, Ali Cemâlî Efendi, about whom there is rather more information than there is about Efdalzade, it will suffice to note here that Taşköprüzade's date, or something very close to it, is almost certainly correct and to leave the proof of this to the discussion of Ali Cemâlî (see below, pp. 204 et sqq.). Efdalzade was buried in the *ḥaram* (*haram*) of the *türbe* of Eyüp.[183]

Conclusion

Before leaving the subject of the fifteenth-century Müftilik, one may mention briefly two documents—or strictly, one document and a passage in another—the first certainly dating from the later fifteenth century, the second possibly so, which bear in a general way on the nature of the institution during this period. A number of specific points from the first, the letter from Molla Gürânî to the divan, have already been discussed and passing reference made to the general importance of the letter, namely that it shows beyond a doubt that the office of Müfti did exist and that it was held by two of the most renowned scholars of the age, Molla Hüsrev—called by Mehmed II the Abū Ḥanīfa of his time—[184] and Molla Gürânî himself. The second document, in this case one containing a passage of interest with respect to the Müftilik, is the Kanunname of Mehmed II, frequent reference to which has been made in Chapter II, where the doubts about the authenticity of many of its parts, if not of the document as a whole, were recorded. The passage in question, which, if genuine, would be decisive in defining the importance of the office in the state, is as follows:

[182] *Katā'ib*, f. 377a (cf. f. 371a) and Sa'deddin, ii, 547 (cf. ii, 486): see also Yaltkaya's article, cited in n. 160. el-Kefevî gives a fuller account of the trial, following Taşköprüzade, in his biography of Molla Lûtfi, within the biography of Kemalpaşazade (f. 388b).

[183] See Ayvansarayı, *Hadikat*, i, 248. For a summary of the *vakfiye* of his medrese, see Barkan/Ayverdi, doc. 1137; and for further information on his medrese, Baltacı, *O. Med.*, 438–41.

[184] Taş, i, 184 (Mecdî, 137).

> The Şeyhülislâm is the chief of the ulema (*ulemanın reisi*), and the *Muallim-i Sultan* [the Hoca] is similarly the head of the ulema (*serdar-i ulema*). It is fitting for the Grand Vezir to place (*almak*) them above himself out of respect. But the Müfti and the Hoca are many ranks higher than the other vezirs and also take precedence over them.[185]

To leave aside for the moment the vexed question of the dating of the passage and to turn first to its substance, one might note that it is ambiguous in respect both of the relationship between the Müfti and the Grand Vezir and of that between the Müfti and the Hoca. The implication of the slightly unexpected 'but' between the second and third sentences would seem to be that it is only as a matter of courtesy that the Grand Vezir—who has just previously been described as 'prior to all in sitting and in standing, and in rank'—should regard the Müfti and the Hoca as superior *but* that the latter are in fact superior to the other vezirs (who are immediately afterwards shown as taking precedence over the kazaskers). The formulation that the Grand Vezir should yield to the Müfti (and the Hoca) out of respect seems likely to constitute a necessary compromise between the fact of the Grand Vezir's near absolute power and the impossibility of conceding him precedence over the principal religious figures in the state. The same slightly uneasy compromise is reflected in Hezârfen's discussion of the relationship between the offices of Müfti and Grand Vezir—this, of course, in the latter half of the seventeenth century—the sense of which may be summarized as follows:

> If the office of Şeyhülislâm is not higher than that of Grand Vezir [as a general matter], it is at least equal, and is in some particulars higher. While the Grand Vezir appears higher in the eyes of the people since he is the sultan's absolute deputy and since the Müfti needs to have recourse to him in most matters, in the eyes of the sultan the Şeyhülislâm is higher than the vezirs and in a way higher than the Grand Vezir, in so far as he is possessed of absolute power (*riyaset-i mutlaka*) in matters of religion. Affairs of state derive from religion; religion is the root, the state the branch. The only chief of religion is the Şeyhülislâm, the only chief of the state the Grand Vezir, but the chief of them both is the sultan.

On the practical question of precedence he writes: 'The Şeyhülislâms take precedence over the vezirs. And they take precedence over the kazaskers and

[185] Kanunname, 10. The translation of the second sentence ('It is fitting . . .') seems less strained and more to the point than that in Gibb/Bowen, i/2, 84, n. 4: '"it is fitting for the Grand *Vezîr* to take the lead of them" (*üstüne almak*) only "out of propriety" (*reâyeten*)', partly on the grounds of the sense of the passage, which is discussed just below in the text, and partly on the grounds that their translation depends upon an unusual sense of *üstüne almak*, an idiom derived from boating. It should be noted that Kanunname/Hüseyin, f. 278a, reads *vezir-i azam onları üzerine almak riayeten lâzım ve münasiptir*.

even, when necessary, over the Grand Vezir.'[186] The passage in the Kanunname is likewise ambiguous—or, perhaps better, from the practical point of view of precedence unhelpful—in respect of the relationship between the Müfti and the Hoca since *reis* and *serdar* are to all intents and purposes synonymous. In one important sense the two offices were to take different paths as the learned hierarchy developed, namely that the office of Müfti was gradually drawn into the hierarchy to become the most important office in it while the post of Hoca remained essentially outside the hierarchy. In terms of prestige, however, the Müftilik and the Hocalık remained closely linked, as is revealed by several references in Hezârfen. In his section on the Şeyhülislâm he writes that the Şeyhülislâm 'cannot always take precedence over the Hoca, unless the Hoca be devoid of nobility of person'.[187] The subject is dealt with in greater detail in the section on the Hoca, however, where Hezârfen first makes the point that the rank of the office of Hoca was not fixed like that of the office of Müfti. Some Hocas, like Hoca Sa'deddin Efendi, had been of such excellence as to surpass the Müfti, others, though of no merit, had risen through good luck to pre-eminence, however short-lived, like Cinci Hoca. Most, however, had not had such good fortune or achieved such eminence; and, though taking precedence over the nakibüleşraf, the kazaskers and the 'other vezirs', 'it is not related (*menkul*) that they took precedence over the Grand Vezir or the Müfti'.[188]

Hezârfen relates an anecdote set early in the reign of Süleyman which suggests that the rules of precedence among the Grand Vezir, the Müfti and the Hoca as set out in the Kanunname were then in force and which also suggests the practical difficulties created by the ambiguities of those provisions. At the time of the wedding festivities of Süleyman's Grand Vezir İbrahim Paşa (Rajab 930/May 1524), the latter was asked about the seating of the Müfti and the Hoca. İbrahim Paşa said that the matter was for him to settle; and, in the event, he seated himself on the sultan's right, the Hoca on the sultan's left. When the Müfti entered, however, İbrahim Paşa rose and yielded his place to him, saying 'Ours is to serve.'[189]

[186] For the summary paragraph, see Hezârfen/Anhegger, 389; for the final quoted sentence, Uzunçarşılı, *İT*, 149, n. 1; and for both, Hezârfen, f. 135a.

[187] Hezârfen, f. 135a; Uzunçarşılı *İT*, 149, n. 1. See also the passage from Âli cited by Uzunçarşılı in *İT*, 148, n. 3 (cf. Âli, TY 5959, f. 87b, which appears to have *taayyün* (?) for *mukannen*).

[188] Hezârfen, ff. 139a–b. For Hoca Sa'deddin, see above, pp. 7–8; and for Cinci Hoca, see C. Orhonlu, 'Ḥusayn Efendi, known as Djindji Khodja' in *EI*².

[189] Hezârfen, ff. 135a–b, also summarized in Uzunçarşılı, *İT*, 149, n. 1. Hezârfen names the Müfti as Kemalpaşazade, as in Peçevî's account of the festivities (i, 81), but this would appear to be an anachronism since it is reasonably well established that Kemalpaşazade did not accede to the Müftilik until 932/1525–6: see below, p. 233.

Brief mention may be made here of a passage later in the Kanunname (p. 21) concerning allowances (*ulufe*) to be paid to 'the sons of the great Mollas', according to which the sons of the Müfti and the Hoca are each to receive 60 akçe (almost certainly daily) from the *şehremini*, it having already been stated (p. 20) that the sons of the Grand

In so far as this anecdote seems to reflect the relationships envisaged in the passage in the Kanunname, with all its ambiguities, it leads neatly into the very difficult and important question of the dating of the passage. While in the light of the anecdote the provisions of the Kanunname would appear to be very much in line with practice early in the reign of Süleyman, the question of whether or not they date from as early as the latter years of the reign of Mehmed II, and thus reflect the then status of the Müfti, is moot.[190] If one considers the use of the term 'Şeyhülislâm' in an obviously official sense, for example, it is certainly the case that the term 'Müfti' was more commonly used than 'Şeyhülislâm' until the latter part of the seventeenth century.[191] There are, however, a number of possible explanations of how the latter term came to be used in the text, beginning with the possibility that, though not commonly used in any sort of official sense, it was not unknown in such a sense in the late fifteenth century. Apart from the term 'Şeyhülislâm', consideration of the phrase *ulemanın reisi* might prove fruitful in giving some indication of the authenticity or otherwise of the passage as a regulation dating from the time of Mehmed II. In the *risale* of Haydar Çelebi, for example, in a particular passage which appears to have been written between 932/1525–6 and 940/1534 (see below, Chapter V, n. 110), mention is made of Kemalpaşazade 'who is now the Müfti of the God-protected lands and the chief of the ulema of Islam (*ulema-i İslâm'ın reisi*)'.[192] Though this indicates no more than that the phrase was current in the 930s, some forty to fifty years later than the suggested date of the Kanunname, it may be that the Kanunname phrase—which has, of course, been amplified in the *risale* by the addition of 'İslâm', this perhaps more appropriate after the conquest of Egypt in 1517 (923) than before—will prove to have occurred in earlier documents as well.

If on the basis of such specific points one cannot at the moment hazard a guess one way or the other on the proper dating of the passage, one may yet in general terms anticipate the concluding chapter by saying that the substance of the passage does not appear to be out of keeping with the status

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Vezir are to become *müteferrikas* with 60 akçe: these facts thus reinforce the concept of a rough equivalence in terms of perquisites among the three offices. One is particularly hesitant to cite this passage because the amounts given are unquestionably too high for the late fifteenth century; but if the sums are anachronistic, it by no means follows that the relationships are so.

[190] Dilger (p. 23, n. 174) refers briefly to this passage. Doubtful that the status of the Müfti is not exaggerated in terms of the fifteenth century, he refers to Gibb and Bowen's attempt to square the passage with the generally accepted view that the Şeyhülislâm achieved pre-eminence only in the reign of Süleyman (Gibb/Bowen, i/2, 84, n. 4) and suggests that they should have considered the possibility that the Kanunname is wrongly dated. It is the contention of the present author, however, as will be shown, that the generally accepted view is at the least inexact, if not wrong, and that the importance of the Müfti as reflected in the Kanunname is not out of keeping with the late fifteenth century.

[191] See above, p. xix, n. 1.

[192] Feridun, i, 480. For the *risale*, see below, p. 230.

of the office of Müfti in the later fifteenth century, perhaps particularly towards the end of Mehmed II's reign when the office was held by Molla Hüsrev, and that it is a defensible view that by this time, if not before, the Müfti was in some sense regarded as the head of the ulema: the definition of the sense in which he may have been head of the ulema will be discussed more fully in the Conclusion. Before coming on to the consideration of these more general points, however, one may now move on to the relatively firmer ground of the sixteenth-century Müftilik.[193]

[193] Before leaving the subject of fifteenth-century documents relating to the Müftilik, one should mention a passage occurring in the mid-sixteenth century Turkish translation of Mehmed II's *vakfiye* relating certainly inclusively, if not exclusively, to the Sahn. The text has Mehmed II say (*Fatih vakfiyeleri*, 358):

> And I have endowed and established in perpetuity the high medreses with the intention that they should be a home and refuge for the teaching of the exalted sciences and that the able ones who busy themselves with the indispensable sciences in those noble places should, through endeavour, become prepared for the office of Müfti (*makam-i fetva*).

If the passage could be shown to be of the time of Mehmed II, it would, of course, be of particular interest in so far as it would imply that the Müftilik was then the natural and, it seems not too tendentious to say, the highest aspiration of students at the Sahn. Nothing which might suggest this passage occurs, however, in the earlier Arabic version from which the translation was made (an official copy dating from the time of Bayezid II has been published in facsimile in *Zwei Stiftungsurkunden des Sultans Mehmed II. Fatih*, ed. T. Öz, Istanbul, 1935, 1–149) or in a yet earlier Arabic version published in facsimile in O. N. Ergin, *Fâtih imareti vakfiyesi*, Istanbul, 1945 (for a thorough discussion of the extant texts of the *vakfiye*, see Ergin's introduction, 13–41, and for a convenient brief discussion, H. İnalcık, 'Istanbul' in *EI*², iv, 244b). There can be no doubt that the Arabic text reproduced by Öz has indeed undergone 'some rearrangement and stylistic expansion' at the hands of the translator (İnalcık, loc. cit.; Ergin, 29–34); and Ergin (p. 31) particularly notes plates 355–62 as the translator's invention. The absence thus far of any early authority for the passage makes it difficult to argue with Ergin's conclusion, but it seems worth observing that the view expressed of the role of the Sahn—namely, apart from serving as a haven for the teaching of *ilm*, to prepare students so that they should be capable of holding the Müftilik, a view which is, from the point of view of hierarchical awareness, as it were, a fairly simple and uncomplicated one—seems more natural to the late fifteenth century than to the mid-sixteenth century: it is, in other words, a concept of the Sahn which would arguably occur more readily to Mehmed II than to a mid-sixteenth century translator. In the present state of knowledge, one must obviously treat the passage with the utmost caution, but the possibility that early authority for it does somewhere exist should not perhaps be entirely discounted. See also below, p. 302 and especially n. 10.

CHAPTER FIVE

The Müftilik in the Sixteenth Century

Ali Cemâlî Efendi

The first of the sixteenth-century Müftis was Molla 'Alā' al-Dīn 'Alī b. Aḥmad b. Muḥammad al-Jamālī, known as Ali Cemâlî Efendi or Zenbilli Ali Efendi.[1] The nickname 'Zenbilli' is said to derive from the fact that, while Müfti, he used to sit in an upper room of his house with a basket (*zenbil*/*zembil*) suspended from the window. The petitioner would put his question in the basket and pull the cord, whereupon Ali Cemâlî would raise the basket, write the answer, and lower it again: the purpose of this seems to have been that the petitioner should not have to wait for his answer. The facsimiles of three of his fetvas in the traditional style in the *İlmiye salnamesi*, however, suggest that he must also have worked in the normal way, through a *fetva emini* who would cast the petitioner's question in the accepted form.[2]

Though the *Shaḳā'iḳ* article on him gives no information about his genealogy or the date or place of his birth, some of the later Turkish biographical sources state, in regard to the last point, that he came from Karaman.[3] Hüsameddin, however, asserts that he was born in the İslam *mahalle* of Amasya, the name of the *mahalle* being a corruption of Eslem (Khātūn), the wife of Ali Cemâlî's paternal grandfather, who built and endowed a *mescid*, a *mekteb* and a *çeşme* in that quarter.[4]

Certain later Turkish authors have also stated that Ali Cemâlî Efendi was descended from Cemaleddin Aksarayî,[5] a fact which may indeed be deduced from two separate statements in the *Shaḳā'iḳ*: that Ali Cemâlî was the cousin, on his father's side, of Shaykh Muḥammad al-Jamālī (Çelebi Halife) and that the latter was descended from Cemaleddin Aksarayî.[6] It seems very likely,

[1] See Taş, i, 422–30; Mecdî, 302–8; *Katā'ib*, ff. 386a–387b. See also the excellent article 'Cemâlî' by M. Cavid Baysun in *İA*; and Halil İnalcık, 'Djamālī' in *EI*².

[2] *İS*, 343–5. According to a study cited in Heyd, 'Fetva', 48, the first *fetva emini* was one Mehmed Muhyiddin 'who served in the early sixteenth century' under Ali Cemâlî. Heyd earlier (pp. 46–7) quotes the basket story as exemplifying the practice before Süleyman's time whereby the Müftis are said to have drawn up and delivered the fetvas themselves, and he certainly leaves the impression that the *fetvahane*, the office under the *fetva emini*'s direction, was established only in the reign of Süleyman.

[3] Rifat Efendi, 15; *İS*, 342; Danişmend, ii, 111; Altunsu, 13.

[4] Hüsameddin, *Amasya*, i, 105–6. Baysun gives Hüsameddin's account in some detail, but neither accepts nor rejects it. İnalcık accepts his statement that Ali Cemâlî was born in Amasya.

[5] *SO*, iii, 488; Danişmend, ii, 111.

[6] Taş, i, 424, 396; Mecdî, 303, 284; *Katā'ib*, ff. 387a, 384b: see also above, pp. 177–8. Though these sources say that Çelebi Halife was 'the son of Ali Cemâlî's paternal uncle (*'amm*)', Baysun states that he was the son of the brother of Ali Cemâlî's grandfather,

particularly in the absence of any further identification, that the sources mean the Cemaleddin Mehmed Aksarayî who was the famous müderris of the Zincirli medrese at Aksaray in Karaman and the teacher of Molla Fenârî (see above, pp. 75–7). Baysun, however, asserts that the Cemaleddin Aksarayî in question is not this scholar but a certain Cemaleddin İbrahim Aksarayî, of whom there seems to be no mention in the *Shaḳā'iḳ*.[7] Hüsameddin traces Ali Cemâlî's ancestry to a Cemaleddin Aksarayî who died in Amasya in 739/1338–9; since the müderris Cemaleddin Mehmed Aksarayî died in Aksaray probably in the 1380s, it seems unlikely that Hüsameddin is referring to him, but he may well be referring to his father.[8]

In regard to the date of his birth, Baysun suggests that in view of his having died in 932/1525–6 at a fairly advanced age and of his periods of education and service (presumably as *muid*) it may be surmised that he was born early in the reign of Mehmed II (began 855/1451). If Mecdî is correct in giving 871/1466–7 for the death of the first of Ali Cemâlî's teachers mentioned in the *Shaḳā'iḳ* article, namely Molla Ḥamza al-Ḳaramānī, under whom Ali Cemâlî studied some relatively advanced books, this fact would seem to provide some support for Baysun's conjecture; but Taşköprüzade writes that Molla Hamza died in the early years of the ninth [tenth ?] century and el-Kefevî that he died in 899/1493–4.[9]

After his study with Molla Hamza, Ali Cemâlî went to Istanbul and studied under Molla Hüsrev. The latter, however, subsequently sent him to the Sultan medrese in Bursa to study under Molla Muṣliḥ al-Dīn b. Ḥusām (Hüsamzade), adducing as an excuse the fact that he was preoccupied with *fatwā* (presumably the Müftilik) and saying that Hüsamzade could give him

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while Hüsameddin says that he was Ali Cemâlî's paternal uncle (*Amasya*, iii, 239).

[7] The sources quoted for this statement are the *Lamaṣāt* (in MS.) of Shaykh Ḥulwī Efendi (d. 1064/1653–4: see *KZZ*, ii, 409–10); and Hüsameddin, *Amasya*, ii, 279, and iii, 17. I have not been able to consult the former, and the relevance of the passages referred to in the latter is not immediately apparent.

[8] Hüsameddin, *Amasya*, i, 321. The author goes on to say that there were three branches of this man's family, of which one went to Egypt, one remained in Amasya and one went to Konya, from there to Aksaray, 'their homeland', and from Aksaray to Amasya again. From the last-named came both Ali Cemâlî and the Grand Vezir of the time of Selim I and Süleyman, Pîrî Mehmed Paşa. Cf. Hüsameddin's remarks on Cemaleddin Mehmed Aksarayî, above, pp. 76–7.

[9] Taş gives the name of Ali Cemâlî's teacher as 'Alā' al-Dīn 'Alī b. Ḥamza al-Ḳaramānī, but Taş MS., Taş/Rescher (p. 187), el-Kefevî and Mecdî give, in fact or in effect, Ḥamza al-Ḳaramānī, for whom see Taş, i, 162; Mecdî, 120–1; *Katā'ib*, ff. 382b–383a. One of the two books memorized by Ali Cemâlî under Molla Hamza was the *Mukhtaṣar al-Ḳudūrī* in (Ḥanafī) *furū'* (Kâtib Çelebi, *KZ*, ii, 1631–4), a standard reference work used by the Müftis (Uzunçarşılı, *İT*, 173). With respect to Molla Hamza's death date, Mecdî dutifully translates Taşköprüzade's statement but includes in his *tezyil* a chronogram, the operative line of which is رحمت بروح او (871/1466–7). This date has been accepted by Kâtib Çelebi (*KZ*, i, 190, where his name is given as Nūr al-Dīn Ḥamza (b. Maḥmūd) al-Ḳaramānī) and *SO* (ii, 252).

more attention.[10] Ali Cemâlî became Hüsamzade's *muid* and married his daughter, who bore him a number of sons.

Having completed his education, Ali Cemâlî was appointed by Mehmed II to the Ali Bey medrese in Edirne with a daily salary of 30 akçe to which the sultan, hearing of his poverty, added a gift of 5,000 akçe and some clothes.[11] His fortunes changed for the worse, however, on the accession of Karamanî Mehmed Paşa to the office of Grand Vezir in 882/1477. According to the *Shaḳā'iḳ*, the latter took vengeance on Ali Cemâlî for his close friendship with Sinan Paşa (see below) by demoting him from that medrese to the Beylerbeyi medrese in Edirne with 25 akçe a day.[12] When Ali Cemâlî refused to dissociate himself from Sinan Paşa, Karamanî Mehmed Paşa demoted him again, this time to the Saraciye medrese in Edirne with a salary of only 20 akçe a day.[13] Disgusted by this treatment, Ali Cemâlî resigned and, according to the majority of the sources, entered the service of Şeyh İbn Vefa.[14]

Though virtually all the sources on the life of Ali Cemâlî are agreed that Karamanî Mehmed Paşa's treatment of him resulted from his firm friendship with Sinan Paşa, only Atâ'î, of the early sources, offers an explanation —and that rather cryptic—for Karamanî Mehmed Paşa's enmity toward

[10] For Hüsamzade, see Taş, i, 290–1; Mecdî, 206–7. From the fact that Molla Hüsrev was Müfti when Ali Cemâlî was studying under him (this is made explicit in the *Katā'ib*, f. 352a), it is possible to suggest that this association took place in the late 870s or early 880s.

[11] The Ali Bey medrese, also known as the Taşlık medrese and called by Taşköprüzade *al-madrasat al-ḥajariyya*, was built by Ali Bey, the son of Mehmed II's Grand Vezir Mahmud Paşa: see Gökbilgin, *EPL*, 322; Baltacı, *O. Med.*, 446–8. Mecdî's account differs in two respects from Taşköprüzade's: he says that Bayezid II appointed Ali Cemâlî to the Ali Paşa medrese, which is clearly an error in view of Ali Cemâlî's victimization at the hands of Karamanî Mehmed Paşa (Grand Vezir 882–6/1477–81); and he says that the sum of the gift to Ali Cemâlî was 4,000 akçe.

[12] The medrese to which Ali Cemâlî was demoted is not named in the *Shaḳā'iḳ* but is named by Atâ'î (p. 277) in the course of his biography of Ali Cemâlî's son, Fuḍayl Çelebi. For the medrese and its founder, one Sinan Bey, Rumeli beylerbeyi in the time of Murad II, see Gökbilgin, *EPL*, 30–1, 253–5 (where a record dating from 976/1568–9 shows the müderris still to be receiving 25 akçe); and Baltacı, *O. Med.*, 120–2.

[13] Again the medrese—known also as the İsmail Ağa or Meydan medrese—is identified in Atâ'î, 277. For the medrese, see Gökbilgin, 'Tarihler', 95; Baltacı, *O. Med.*, 89–90. It is not clear on what grounds Baltacı identifies the founder as Hacı Kemaleddin b. Abdullah.

[14] Taş, i, 357–62; Mecdî, 251–4. *SO* (iii, 488) makes explicit what is clearly meant by the phrase *wa ittaṣala ilā khidmat al-shaykh* (Taş, i, 423), namely that he became his *murīd* (*murid*). All the later biographical sources except Atâ'î follow Taşköprüzade in naming İbn Vefa as the one to whom Ali Cemâlî went; Atâ'î (p. 277), however, says that it was Shaykh Mas'ūd Edirnewī (Taş, i, 396; Mecdî, 283–4) about whom relatively little is known. There seems to be good reason for preferring the version of the great majority of the sources in the fact that Sinan Paşa, with whom Ali Cemâlî was very close, was a great admirer of İbn Vefa, from whom he asked to be licensed (*isticaze edip*) for *irşad* and *imdad* (Mecdî, 196), and whom he later defended against a charge of irregularity in his religious practice: see above, pp. 173–4.

Sinan Paşa, namely that the former 'adopted a bigoted attitude on account of the love of Sinan Paşa, his predecessor in the office of vezir, for Mevlânâ (*Cenab-i Mevlevî*)'.[15] Not only his Sufi leanings, however, but also his well-attested scepticism may have led to Sinan Paşa's dramatic fall from favour, only the facts and not the causes of which are mentioned in the sources.[16] According to the *Shaḳā'iḳ*, Mehmed II removed him from office—now known to be the office of Grand Vezir—and imprisoned him, an action which provoked an angry response from the ulema of Istanbul. Meeting in the divan, they threatened to burn their books and abandon the Ottoman lands were Sinan Paşa not set free. Mehmed II thereupon freed him but immediately sent him off in virtual exile to Sivrihisar as kadı and müderris, sending after him a physician who was to treat him as a madman and who in fact gave him a potion and beat him fifty strokes every day on the feet. This action occasioned a stern letter from Ali Cemâlî's teacher, Hüsamzade, to Mehmed II warning him to put an end to such oppressive treatment or he would leave the Ottoman realms. It seems entirely likely that Karamanî Mehmed Paşa's 'revenge' on Ali Cemâlî was bound up in some way with this incident, the more so since at least two others are known to have suffered similarly for their connection with Sinan Paşa, namely his brother, Müfti Ahmed Paşa, who was removed from the Sahn and given the medrese and kadılık in Üsküp, and one of Sinan Paşa's students, Molla Tāj al-Dīn Ibrāhīm, known as Üstadoğlu, who was removed from his post as hoca to Şehzade Abdullah and given the kadılık of Çubuk with 15 akçe a day.[17]

İnalcık[18] does not mention the tradition that Karamanî Mehmed Paşa's enmity toward Ali Cemâlî resulted from the latter's friendship with Sinan Paşa and states rather that it resulted from the fact that Ali Cemâlî's cousin, Çelebi Halife, was working for the cause of Bayezid in his struggle for the succession to the sultanate with Cem, who was strongly supported by

[15] Atâ'î, 277, reading 'his predecessor' (*selefi*) for the improbable *süfli* in the text. The dating of Sinan Paşa's Grand Vezirlik in 881–2/1476–7 has been established by Uzunçarşılı in 'Hızır Bey oğlu Sinan Paşa'nın Vezir-i azamlığına dair çok kıymetli bir vesika', *Belleten*, xxvii (1963), 37–44, the fact of it having been first mentioned in Mecdî's *tezyil* to his article on Sinan Paşa (p. 196), with, however, an apparently incorrect date.

[16] For Sinan Paşa—Hızır Bey's son—see Taş, i, 270–5; Mecdî, 193–6, and the thorough treatment of his life, personality and works in Hasibe Mazıoğlu, 'Sinan Paşa. Hoca Sinān al-Dīn...' in *İA*. Mazıoğlu's depiction of two opposed groups among the ulema of the time, the one, including Sinan Paşa, a group of 'free thinkers', the other, headed by Karamanî Mehmed Paşa, a 'reactionary' (*mutaasıp*) group, deserves more detailed investigation.

[17] Mazıoğlu, op. cit. For Müfti Ahmed Paşa, see Taş, i, 276–7; Mecdî, 197, and above, p. 147; and for Üstadoğlu, Taş, i, 479–80; Mecdî, 331–2 (it is clear from Taş that the latter held the müderrislik in Ankara and the hocalık consecutively, not simultaneously, as Mazıoğlu states). These two, as well as Sinan Paşa and Ali Cemâlî, were restored to favour when Bayezid II came to the throne.

[18] 'Djamālī' in *EI*².

Karamanî Mehmed Paşa. The only source given for this statement is Mecdî's account of the life of Çelebi Halife; and while it is clear from that account that Çelebi Halife propagandized very successfully for Bayezid, largely by attacking the unpopular policy, for which Karamanî Mehmed Paşa was held responsible, of converting *evkaf* and freehold land into state land, it is nowhere stated that this had any effect on Ali Cemâlî's career.

However attractive this alternative explanation appears at first glance, moreover, it presents certain difficulties, not the least of which is that, as has been shown above, the great majority of the sources assert that Ali Cemâlî, after his ill-treatment at the hands of Karamanî Mehmed Paşa, went off to enter the service of Şeyh İbn Vefa.[19] That şeyh, however, is mentioned in the biography of Çelebi Halife as the one şeyh whom Çelebi Halife did not win over to Bayezid's cause and who remained a staunch supporter and protector of Karamanî Mehmed Paşa to the end of the latter's life (886/1481). If the cause of Karamanî Mehmed Paşa's persecution of Ali Cemâlî were indeed his cousin's propaganda activities, if the quarrel between them really had its origin as a by-product of the struggle between Bayezid and Cem, it seems unlikely that Ali Cemâlî would associate himself voluntarily with one of the most notable supporters of his persecutor.

The account of the great majority of the sources presents no such complication, however. It is clear from the *Shaḳā'iḳ* account of Çelebi Halife's life that it was only at some time after Karamanî Mehmed Paşa's accession as Grand Vezir that Çelebi Halife was won over, rather unwillingly, to Bayezid's cause; and it was only after Çelebi Halife's own conversion and successful propaganda that İbn Vefa would have found it necessary to take a stand on the matter and come down firmly on the side of Karamanî Mehmed Paşa. In short, the lines of battle on this issue, at least as far as Çelebi Halife and İbn Vefa were concerned, would seem to have become clearly drawn only some time after, perhaps considerably after, Karamanî Mehmed Paşa's accession. Thus, while it seems most unlikely that Ali Cemâlî should have gone to İbn Vefa after the latter had entered the lists openly on behalf of Karamanî Mehmed Paşa, it is perfectly possible that he went before that time, before the quarrel over the succession had reached a serious pitch. If one accepts the statement of the vast majority of the sources that the cause of Ali Cemâlî's difficulties was his friendship with Sinan Paşa, it seems only reasonable to suppose that the disgracing of Sinan Paşa's friends would have been among Karamanî Mehmed Paşa's first concerns on his accession as Grand Vezir. The account of the majority of the sources is thus consistently explicable and, on present evidence, must be preferred to the alternative explanation.

Ali Cemâlî seems to have remained in retirement until after the accession of Bayezid II (886/1481) who, having seen him in a dream one night,

[19] İnalcık himself mentions only that Ali Cemâlî resigned, and then goes on to his reinstatement under Bayezid II.

summoned him by means of a delegation of vezirs to come and meet him. Ali Cemâlî, perhaps influenced by his exposure to mysticism, refused to answer the summons; and, according to Mecdî, he remarked: 'Interviews with sultans are the most hateful of lawful things (*mubahat*).' Bayezid II countered this refusal by compelling Ali Cemâlî to accept an appointment, though about what appointment it was there is disagreement among the sources which arises ultimately from the fact that Mecdî departs considerably from Taşköprüzade's account in respect not only of this first appointment but also of at least the order of the posts to which Ali Cemâlî was appointed during the next twenty-odd years of his life.

According to Taşköprüzade, Bayezid II first compelled Ali Cemâlî to go to Amasya with a daily salary of 30 akçe and made him müfti there. He then gave him the medrese of Sultan Murad in Bursa,[20] which Ali Cemâlî subsequently abandoned to visit his cousin, Çelebi Halife, in Amasya. Bayezid II then appointed him successively to the İznik medrese with 50 akçe daily, to the Sultan medrese in Bursa, to Bayezid II's own newly-built medrese in Amasya together with the müftilik there,[21] and, finally to one of the Sahn. Having taught for a long time at the last-named medrese, Ali Cemâlî went on the *ḥajj*, from which he returned to become Müfti of Istanbul.[22]

Mecdî, however, says that Bayezid II compelled Ali Cemâlî to go first to the Kaplıca (Murad I) medrese in Bursa with 30 akçe daily. Having then sent him, again by compulsion, to Amasya as müfti with 30 akçe a day, he transferred him to the Kaplıca medrese for a second stint, later appointing him to the İznik (Orhan Gazi) medrese with 50 akçe a day and then to the Sultan Murad (Murad II) medrese in Bursa with the same salary. Ali Cemâlî then left that medrese to visit Çelebi Halife, his cousin, in Amasya; presumably while still there he was appointed by Bayezid II to his newly-built medrese and the müftilik of Amasya. Şehzade Ahmed, Bayezid II's son, and governor of Amasya at the time, held a circumcision feast for his son Murad, at which Ali Cemâlî felt himself to have been slighted in being shown less honour than Ahmed's hoca.[23] He thus resigned his posts

[20] It is not clear whether Taşköprüzade means the Kaplıca (Murad I) medrese, as Sa'deddin understands him (ii, 550), or the Muradiye (Murad II) medrese, as Âli understands him (Add. 10,004, f. 62a).

[21] According to Hüsameddin (*Amasya*, i, 292–3), Bayezid II's medrese was completed in 891/1486 and was called the Medrese-i sultaniye: see also above, p. 64.

[22] A sentence in Arabic inserted in the text of Atâ'î (p. 277) dates the appointment to the Sahn 'in/about (*fî ḥudûd*) the year 900 [1494–5]'. The source of the sentence is not clear, and the date does not fit in very well with the sequence of events given by Mecdî, whom Atâ'î follows in the main.

Ali Cemâlî's departure for the *ḥajj* occurred almost certainly in 908/1502–3; his return almost certainly in 910/1504–5: see below, pp. 205–7.

[23] Hüsameddin (*Amasya*, iii, 237–9) dates this incident in 896/1490–1 and discusses it in considerable detail, differing in some respects from the account in Mecdî. The feast, he says, was for two of Ahmed's sons, Murad and Alâeddin, and the problem of precedence

and went to Istanbul. Bayezid II, angered by his abandonment of Bayezid's own medrese, did not appoint him immediately to any other office; but six months later he was moved by a demonstration of Ali Cemâlî's mystical powers—having seen Ali Cemâlî in a dream one night, Bayezid II received a letter from him the next day relating all that had passed between them—to order that a place be made for him at the Sultan medrese in Bursa which, however, Ali Cemâlî accepted only with reluctance since he seems to have felt that, having been müfti of Amasya, he might have expected something better. When Bayezid II heard of his discontent, he immediately made a place for him at the Sahn, at which Ali Cemâlî taught for a long period before his departure for the *ḥajj*.

It is difficult to know which of these accounts to prefer. Taşköprüzade's is the earlier, of course, but Mecdî's account, particularly for the period following Ali Cemâlî's appointment to the Bayezid II medrese and the müftilik in Amasya, is perhaps the more persuasive if only because it is considerably more circumstantial than Taşköprüzade's. Mecdî, unfortunately, does not give the source for his additional material, nor does he give any justification for his rearrangement of the list of appointments given in Taşköprüzade.

Most of the later sources who deal with this part of Ali Cemâlî's life in any detail have tended to follow one source or the other along more or less expectable lines. el-Kefevî, whose work, of course, predates Mecdî's, virtually quotes this part of Taşköprüzade's account, and both Sa'deddin and Âli follow Taşköprüzade as well. Although Atâ'î follows Taşköprüzade in regard to Ali Cemâlî's first appointment, his account is otherwise similar to Mecdî's version. Müstakimzade, like Taşköprüzade and Atâ'î, gives Ali Cemâlî's first appointment as the müftilik of Amasya, but his treatment of the subsequent appointments is too vague to allow any conclusion about whom he takes as his source. Rifat Efendi and the *İlmiye salnamesi* not surprisingly adopt Mecdî's version, although they omit mention of the appointments to the Sultan medrese and the Sahn, thus implying that Ali Cemâlî went directly from the Amasya appointments to the *ḥajj*.[24]

A rather different version of Ali Cemâlî's career during this period may be pieced together from Hüsameddin's *Amasya tarihi*. In the section of his work dealing with the governorship of Şehzade Ahmed, he writes that in 888/1483–4 Ali Cemâlî came from 'the müderrislik of Bursa' to become

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involved Ahmed's hoca, Birgilioğlu Mustafa Efendi (Taş, i, 437–8; Mecdî, 311–12), and not Ali Cemâlî himself but a certain Molla 'Abdî-i Amāsī (several times müfti of Amasya and, at the time, *mütevelli* of Bayezid II's *evkaf* in Amasya: see *Amasya*, iii, 231, 240, 237), one of whose champions Ali Cemâlî was. The incident caused an uproar not only among the ulema but also among the emirs, and a number of changes were made in the personnel of Ahmed's court.

[24] See respectively the *Katā'ib*, f. 387a; Sa'deddin, ii, 550; Âli, Add. 10,004, ff. 62a–b; Atâ'î, 277; Müstakimzade, ff. 5b–6a; Rifat Efendi, 15–16; *IS*, 342.

müfti of Amasya,[25] a statement which is in itself perfectly possible and accords well with Mecdî's version of Ali Cemâlî's career. It would seem, however, from this part of Hüsameddin's work that Ali Cemâlî then held the post continuously until 896/1490–1, the year of the incident at the circumcision feast, since Hüsameddin does not mention that Ali Cemâlî was replaced during the years 888–91 and since, in writing about his appointment to the müderrislik of the Bayezid II medrese in the latter year, he refers to him as 'the müfti of Amasya'.[26] Not only does Hüsameddin's view as here expressed conflict with that of the early biographical sources, it would also seem to contradict a statement made earlier in his history. In the section devoted to describing the Bayezid II medrese, he writes: 'The former Şeyhülislâm Amasyalı Cemâlîzade Zenbilli Ali Efendi, who was appointed to the müftilik of Amasya in 891, became the first müderris.'[27] In view of the confusion of Hüsameddin's account on this point, it is difficult to reject in his favour the account of the early biographical sources which are at least agreed that he did hold several medrese appointments between his first appointment as müfti of Amasya—which may indeed have occurred in 888/1483–4—and his appointment as müderris of the Bayezid II medrese and müfti of Amasya in 891/1486.

The facts Hüsameddin gives concerning the period of Ali Cemâlî's life following his abandonment of Amasya in 896/1490–1 form an account which departs even more radically from the general outline given in the early biographical sources, though many of the facts he gives can be found in one or another of them. He writes that in 899/1493–4 Ali Cemâlî returned to visit his paternal uncle (*amuca*), Çelebi Halife, and in 900/1494–5 became a second time müderris at the Bayezid II medrese and müfti of Amasya. Apparently remaining in this position until 903/1497–8, he then went on the pilgrimage (July 1498) in company with Çelebi Halife who had been sent on the pilgrimage in order to pray for the ending of the plague which occurred in that year. Also in that year the Müfti Efdalzade died, whose place Ali Cemâlî took.[28]

It is possible to see the basis of Hüsameddin's account in two almost

[25] *Amasya*, iii, 235.

[26] Ibid., iii, 236–7. İnalcık ('Djamâlî' in *EI*²) understands Hüsameddin to mean that Ali Cemâlî held the müftilik continuously from 888 to 891 and adopts this view.

[27] *Amasya*, i, 292.

[28] Ibid., iii, 239–41. For Ali Cemâlî's relationship to Çelebi Halife, cf. above, n. 6. The facts that Çelebi Halife was so deputed and that he died in the course of the journey are mentioned in Taş, i, 400–1; Mecdî, 286. No date is given, although both authors say that it occurred when Bayezid II acceded to the throne, an expression which, however, as has been remarked, is often used rather loosely in the *Shaḳā'iḳ*; and it may be that Çelebi Halife did go on the pilgrimage in 903: cf. Kissling's article (as cited in Chapter IV, n. 140), 255, from which it also appears, however, that Çelebi Halife had been in Istanbul since 895 (pp. 251 et sqq.) and not in Amasya, as asserted by Hüsameddin (*Amasya*, iii, 240). In any case there seems to be no justification for Hüsameddin's statement that Ali Cemâlî accompanied Çelebi Halife on the pilgrimage.

certainly erroneous facts in the biographical sources: first, the implication in Rifat Efendi (and the *İlmiye salnamesi*) that he went directly from Amasya to the pilgrimage from which he returned to become Müfti of Istanbul, Efdalzade having died while Ali Cemâlî was on the pilgrimage; and second, the statement in Mecdî that Efdalzade died in 903/1497–8 (see above, p. 192).

As far as the first is concerned one must point out that it conflicts with the account given by all the other sources, and not least with the highly circumstantial account in Mecdî, Rifat Efendi's chief source. It is just possible that in ignoring the appointments to the Sultan and Sahn medreses Rifat Efendi is depending on some other, and to him preferable, source; but it seems much more likely that he is guilty of simple carelessness, a fault of which there are numerous examples in his work.

As noted in the previous chapter, in giving the date 903/1497–8 for Efdalzade's death, Mecdî has departed from Taşköprüzade's text, in which the date 908/1502–3 is given.[29] Taşköprüzade's date has, in general, been preferred among the later sources—aside from Hüsameddin, only the author of the *Sicill-i Osmanî* and Uzunçarşılı have adopted Mecdî's date—[30] and it would seem from the information given in both Taşköprüzade and Mecdî about Ali Cemâlî's pilgrimage that there is good reason for this preference. According to Taşköprüzade, Ali Cemâlî taught for a long period and then went off to Egypt intending to perform the pilgrimage. He was prevented from doing so by civil strife which was going on in Mecca and remained in Egypt for a year, during the course of which Efdalzade died. Bayezid II ordered that the professors of the Sahn should write the fetvas; and when Ali Cemâlî returned from the pilgrimage, he gave him the office of Müfti of Istanbul with a daily salary of 100 akçe. Mecdî's account makes explicit what is probably implicit in Taşköprüzade's, namely that Bayezid II appointed Ali Cemâlî to the Müftilik immediately on Efdalzade's death and that the ordering of the Sahn professors to perform the duties of the Müfti was merely a stopgap measure until Ali Cemâlî should return from the pilgrimage.

[29] Taş, i, 269, and above, p. 192. It may be noted that a strict reading of Taşköprüzade's statement about the death of Efdalzade in the article on Ali Cemâlî, paraphrased just below in the text, would imply that Efdalzade died during the year which Ali Cemâlî spent in Egypt (i.e. 909) after having been prevented from making the pilgrimage in 908. Atâ'î (p. 277) adopts 909 for his death date, and Kâtib Çelebi asserts that he died in Jumādā II 909/November–December 1503 (*Takvim*, 182). See also İnalcık, 'Djamālī' in *EI²*.

[30] *SO*, ii, 256; Uzunçarşılı, *OT*, ii, 661. Even Rifat Efendi (p. 14) has accepted the date in Taşköprüzade (probably taking it from Müstakimzade) and specifies the month of Sha'bān (908/February 1503). He mentions Mecdî's date and gives a chronogram which is to be found in the margin of Mecdî, 192: *wa laḳad māta al-'ulamā['?]. 903. Galiba Efdalzade'ye tarihdir*. The chronogram in fact works out to 753, and it seems likely that a word has dropped out, very probably before *al-'ulamā['?]*.

Accounts of events in Mecca during this period[31] indicate the strong likelihood that the pilgrimage which Ali Cemâlî was forced to pass up was that of 908 (early June 1503). According to the accounts, following the death of Muḥammad b. Barakāt, *Sharīf* of Mecca, in 903/1497, a struggle broke out among his sons over the succession to the office of *Sharīf*, a struggle from which one of them, Barakāt II b. Muḥammad, finally emerged victorious in 910/1504. The course of the struggle in the years 903 to 910 is enormously complex and the details sometimes confused, but certain facts which bear on the present problem seem clear. It appears that although the years immediately following 903 saw a certain amount of intrigue among the brothers, open warfare did not break out until just before the *ḥajj* of 906 (late June 1501), in which year, none the less, the pilgrimage seems to have been performed. Of the following years, the one in which the most serious threat was posed to pilgrims seems to have been 908 when the Mamlūk sultan Ḳanṣawh al-Ghawrī was forced to send a military expedition to put an end to the excesses committed against the sacred shrine, the people of Mecca, and Egyptian and Syrian pilgrims by one of the brothers, Aḥmad Jāzān, who had defeated Barakāt and taken possession of Mecca on 25 Shawwāl 908 (23 April 1503) and who remained there until the end of Dhu 'l-Ḳa'da 908 (late May 1503) when he fled before the expeditionary force.[32] It would not be surprising if, at a time close to the pilgrimage when affairs had reached so serious a pitch that the Mamlūk sultan was forced to send a special military expedition to try to bring order, pilgrims had either been officially warned off or themselves hesitated about exposing themselves to the risks involved. The situation was under somewhat better control by the time of the pilgrimage of 909 (late May 1504) when Ali Cemâlî must actually have performed the *ḥajj*. Aḥmad Jāzān had been killed by the Circassian Turks on 10 Rajab 909 (30 December 1504), to be succeeded by yet another brother, Ḥumayḍa, who ruled until the early months of 910. Daḥlān, however, says that the Mamlūk sultan sent a very strong military force to accompany the pilgrimage in 909 since he was unsure of the intentions of Barakāt, whom he had treated kindly but who had escaped.

Having remained in Egypt for the year following his abortive pilgrimage,

[31] See Muḥammad Jār Allāh b. Amīn b. Ẓuhayra (Ibn Ẓuhayra), *Kitāb al-jāmi' al-laṭīf fī faḍā'il Makka wa binā' al-Bayt al-Sharīf* in *Die Chroniken der Stadt Mekka*, ed. F. Wüstenfeld, ii, Leipzig, 1859, 342–3. Ibn Ẓuhayra finished his work in 960/1553 (p. 344). See also Aḥmad b. Zaynī Daḥlān (d. 1304/1886–7), *Khulāṣat al-kalām fī bayān umarā' al-Balad al-Ḥarām*, Cairo, 1305/1887–8, 46–9. G. Rentz ('Barakāt' in *EI*[2]) gives a useful general summary of events during this period, but his account is not sufficiently detailed to aid in the solution of this particular problem.

[32] So Ibn Ẓuhayra states (p. 343). Daḥlān (p. 48) gives a different version, saying that Aḥmad Jāzān met the expeditionary force and bribed its leader to seize Barakāt, which the leader did, taking Barakāt back to Cairo with him in chains. Ibn Ẓuhayra mentions that the Egyptian leader seized Barakāt and took him back to Cairo and that Aḥmad Jāzān then returned to Mecca, but gives no explanation of these events.

apparently that of 908,[33] and having performed the pilgrimage apparently in 909/late May 1504, Ali Cemâlî returned to Istanbul, probably in the early months of 910/mid-1504, to begin his duties as Müfti of Istanbul. In the interval between Efdalzade's death and Ali Cemâlî's return, the duties of that office were given over to the eight müderrises of the Sahn; but whether they acted in committee, whether they were all empowered to act independently, or whether they acted according to a rota system is not made clear. The only source to give a hint is Sa'deddin who states that they gave fetvas *'alā sabīl al-tawzī'*, a phrase which suggests either the second or the third possibility.[34]

Atâ'î gives a list of the Sahn professors at the time, though he lists only seven: Molla Karabâlî, Molla Kara Seyyidî, Molla Kürz (?) Seyyidî, Molla Sarı Görez, Molla Babek Çelebi, Molla Musa Çelebi b. Efdalzade, and Molla Süpürge Şücâ.[35] To this list Müstakimzade adds the name of Seyyidî Çelebi.[36] According to the biographies of these men given in the *Shaḳā'iḳ*, all of them did teach at the Sahn; but the biographies are in no case sufficiently detailed to justify from them more than the statement that it is not impossible that all of them were teaching there for the whole or part of the period 908–10.[37]

A document in Gökbilgin, however, raises a question about one of them, namely Molla Kürz (?) Seyyidî (or Seyyidî Kürz), and serves to show how fragile even such detailed evidence is. In a *saray defteri* of Bayezid II's pertaining to the year 909 there is a note of condolences sent in Jumādā I of that year (October–November 1503) to Molla Seyyidî Kürz, the müderris of

[33] As further evidence of the date of Ali Cemâlî's going on the *ḥajj*, one might mention the statement in Atâ'î, 188, independent of the passage on Ali Cemâlî, that Molla Ḳiwām al-Dīn Yūsuf, known as Kadı-i Bağdad (Taş, i, 469–70; Mecdî, 326–7), succeeded him at the Sahn in 908.

[34] Sa'deddin, ii, 550–1. The first possibility, that the müderrises acted in concert, is also rendered unlikely on general grounds by the fact that müftis appear seldom, if ever, to have acted collectively: see Tyan, *Histoire*, 222.

[35] Atâ'î, 277. The müderrises in question are, respectively: Bālī al-Aydınī, Taş, i, 448–9; Mecdî, 316–17; Sayyidī al-Ḥamīdī, Taş, i, 440–2; Mecdî, 313; Sayyidī al-Ḳaramānī, Taş, i, 442–3; Mecdî, 313–14 (his nickname should possibly be Görez, as in the case of Sarı Görez, just below); Nūr al-Dīn b. Yūsuf al-Ḳaraşiwī, Taş, i, 443–5; Mecdî, 314–15 (and below, pp. 218–20, especially n. 68): 'Abd al-Raḥīm b. 'Alā' al-Dīn al-'Arabī (i.e. the son of Molla Arab), Taş, i, 449–50; Mecdî, 317–18 (who, apparently incorrectly, has 'Abd al-Raḥmān); Mūsā b. Ḥamīd al-Dīn b. Afḍal al-Dīn (i.e. the son of Efdalzade), Taş, i, 450–2; Mecdî, 318 (who gives his name as Ṣalāḥ al-Dīn Mūsā); and Shujā' al-Dīn Ilyās, Taş, i, 473–5; Mecdî, 329–30 (identified as such in Âli, Add. 10,004, f. 67b, and Taş/Rescher, 207).

[36] Müstakimzade, f. 6a: Molla Muḥyi 'l-Dīn Sayyidī Muḥammad b. Muḥammad al-Ḳūjawī (?): Taş, i; 445–8; Mecdî, 315–16. He is identified as Seyyidî Çelebi in Taş, i, 289.

[37] It might be noted that a 'register of favours' (*defter-i in'amat*) cited in Baltacı, *O. Med.*, 384, shows Kara Seyyidî to have been at the Sahn on 5 Rabī' I 910/16 August 1504.

the Bayezid II medrese in Edirne, on the death of his son.[38] According to the *Shaḳā'iḳ* account of Molla Seyyidî Kürz's life, he received the appointment to the Bayezid II medrese in Edirne after his tenure at the Sahn. Thus Atâ'î's statement that he was one of the Sahn professors who acted as Müfti until Ali Cemâlî's return and Kâtib Çelebi's assertion that Efdalzade died in Jumādā II 909 are shown to be incompatible: Atâ'î's statement is possible only if Efdalzade died in late 908 or early 909, while Kâtib Çelebi's statement is possible only if Atâ'î is wrong. To decide between them is, on the present evidence, impossible, however, since it is not clear what evidence either author has for his assertion.

During Ali Cemâlî's tenure as Müfti of Istanbul under Bayezid II, he was given two further duties which were to remain part of the functions of that office for some time to come. First, as he had done some years previously when he built his medrese in Amasya, Bayezid II appointed Ali Cemâlî to the müderrislik of his newly-built medrese in Istanbul and stipulated that the müderrislik should be bound to the office of Müfti.[39] He established a salary of 50 akçe daily in respect of the teaching, so that Ali Cemâlî's total salary became 150 akçe a day.[40] Second, Bayezid II made Ali Cemâlî the *nāẓır* (*nazır*) of his *evḳaf* in 912/1506–7, a duty which was passed on to Ali Cemâlî's successors in the office of Müfti. Something of the honour that this appointment carried with it may be judged from the fact that Bayezid II's predecessor, Mehmed II, and his two immediate successors, Selim I and Süleyman, gave the supervision of their *evḳaf* into the hands of the Grand Vezir.[41]

According to the *Shaḳā'iḳ*, the appointment of Ali Cemâlî to the Bayezid

[38] Gökbilgin, *EPL*, 479. Gökbilgin gives the date as '(cumad I = 26 Ekim)'. 26 October 1503 was, however, 5 Jumādā I 909.

[39] Atâ'î, 277; Ayvansarayı, *Ḥadîḳat*, i, 14; Baltacı, *O. Med.*, 163 et sqq.; and above, pp. 180–1. The medrese formed part of a *vaḳf* complex which, according to Ayvansarayı, was built in the following order: first the mosque; later an *imaret*, a *tābkhāne* (*tabhane*) and a *mekteb*; and finally the medrese. The author quotes an inscription which shows work on the mosque to have begun at the end of Dhu 'l-Ḥijja 906/mid-July 1501 (but cf. Baltacı, *O. Med.*, 164) and to have been completed in 911/1505–6. Baltacı writes that the medrese was begun in Muḥarram 912/May 1506 and 'must have been completed' in 913/1507–8 (*O. Med.*, 164).

Uzunçarşılı (*İT*, 205) notes that the *vaḳfiye* requires the Müfti to give lessons one day a week at the medrese.

[40] Atâ'î (p. 277) writes: 'While the salary of the Müfti had, until that time, been 100 akçe [a day], it [now] became 150', a statement which is not, however, strictly accurate: cf. below, pp. 290 et sqq. Taş/Rescher (p. 188) unaccountably gives his salary as Müfti as 200 akçe and thus his total salary, with the addition for teaching, as 250 akçe.

[41] For the fact of Ali Cemâlî's being made *nazır*, see Baysun, 'Cemâlî' in *İA*, from H. Hüsameddin, *Evḳaf-i Hümayun Nezaretinin tarihçe-i teşkilâtı ve nüzzarın teracim-i aḥvali*, Istanbul, 1335, 13: it is not mentioned in the early biographical sources. For the dispositions made by the other sultans named, see Gibb/Bowen, i/2, 170.

II medrese aroused the jealousy of Molla (Kara) Seyyidî Hamidî,[42] previously referred to as one of the Sahn professors who took over the functions of Müfti between the death of Efdalzade and the return of Ali Cemâlî from the pilgrimage. Having collected certain of Ali Cemâlî's fetvas which he claimed were in error, Seyyidî Hamidî sent them to the divan, whereupon the vezirs passed them on to Ali Cemâlî who answered all the objections satisfactorily. At about this time Ali Cemâlî said to his eldest son, Molla Çelebi: 'When I descended from 'Arafa, there came upon me a mystical attraction (*jadhba*) [so strong that] there remained no veil between me and God. I have entrusted the matter of Molla Seyyidî to God.'[43] Before a week had passed Seyyidî Hamidî died suddenly, in a single night.[44]

A question concerning the interpretation of this incident is raised by the fact that Âli, followed by Baysun, has amplified the account in Taşköprüzade concerning the cause of Seyyidî Hamidî's jealousy. He writes: 'Many made plain their jealousy at the fact that the aforementioned medrese [i.e. that of

[42] The printed text of Taşköprüzade reads (i, 425):

فحده على ذلك بعض العلماء وهو المولى السيد على والسيد الحميدى

but this is clearly corrupt. Taş MS. and the *Katā'ib* (f. 387b) both read فحسده as Mecdî (p. 304), Sa'deddin (ii, 552) and Âli (Add. 10,004, f. 62b) obviously have; and the same sources all give simply المولى السيد الحميدى .

According to the *Katā'ib* (f. 387b), Seyyidî Hamidî was kadı of Istanbul at the time of the incident, which is certainly possible. According to Mecdî's *tezyil* (p. 313), Seyyidî Hamidî was, while at the Sahn (cf. the body of the biography, however, where it is said that he retired from the Sahn before becoming kadı of Istanbul), appointed by Bayezid II 'to set down (*tahrir*) his *evkaf*', in return for which service the sultan made him kadı of Istanbul; and Bayezid II's *vakfiye* is dated 911/1505–6 (Baltacı, *O. Med.*, 164). Mecdî also quotes a form of signature which, he says, was commonly used by Seyyidî Hamidî as kadı, in which his name is given as Sayyidī b. Isḥāḳ. Five documents signed Mevlânâ Seydi b. İshak are found in Barkan/Ayverdi, four dated in 914–15/1508–9 (docs. 516, 333, 192, and 1973) and one in 924/1518 (doc. 1325): it is possible that this last is a misprint for 914, as the Index suggests. One cannot be sure that Mecdî is correct in his identification, but if he is, the evidence of the documents further complicates the question of Seyyidî Hamidî's death date (see below, n. 44).

[43] Taş, i, 425, accepting the reading 'al-Mawlā Sayyidī', as in Taş MS. and the *Katā'ib*, in preference to 'al-Mawlā Sayyid 'Alī', as in the printed text (it is possible of course that Molla Seyyidî's given name was Ali). The fact that Ali Cemâlî addressed this remark to his eldest son (Molla Muḥyi 'l-Dīn Muḥammad: Taş, i, 606–8; Mecdî, 389–90) is added by Mecdî (p. 304) to the account in Taş.

[44] Taş, i, 441, says that Seyyidî Hamidî died in 912/1506–7 or 913/1507–8. Mecdî (p. 313), Sa'deddin (ii, 557) and *SO* (iii, 120) opt for the latter, while the *Katā'ib* (f. 387b) gives the former. If Ali Cemâlî's appointment to the Bayezid II medrese was not made before its completion in 913 (see above, n. 39), this fact would seem to confirm the later date.

If, however, Mecdî is right in identifying Sayyidī b. Isḥāḳ as Seyyidî Hamidî (above, n. 42), he cannot have died before early Jumādā I 915/late July 1509 (Barkan/Ayverdi, doc. 192), a fact which would place some strain on the credibility of the *Shaḳā'iḳ* account. Unless the quarrel were unusually long drawn out, for example, it is difficult to see how the cause could have been the appointment of Ali Cemâlî to the Bayezid II medrese (which almost certainly occurred not later than 913), the result Seyyidî Hamidî's sudden death.

Bayezid II] had been made an appendage to the office of Müfti. Out of the number of those who were jealous, Molla Seyyidî-i Hamidî collected some of his [i.e. Ali Cemâlî's] fetvas, saying that they were in error. ...'[45] This statement is of interest in that it suggests the possibility that a number of people both recognized and objected to the fact that this appointment represented a significant advance in status and, perhaps, in power for the Müfti. Baysun has interpreted the incident in this way, adding as a further cause for jealousy Bayezid II's appointment of Ali Cemâlî as *nazır* of his *evkaf*, a fact which the early sources, including Âli, do not mention.[46]

One cannot, however, be sure that Âli's amplification of Taşköprüzade and Baysun's interpretation of it has any justification in fact. In the first place there is no suggestion in Taşköprüzade or the other early sources who follow him or translate him—that is, the *Katā'ib*, Mecdî and Sa'deddin—that anyone but Seyyidî Hamidî was jealous; and it appears that Âli may well simply have mistranslated Taşköprüzade's *ba'ḍ*—inescapably 'one' in the Arabic—as 'some' and thus given the incident greater emphasis than it deserves. It is questionable, moreover, to what degree the addition of the müderrislik of the Bayezid II medrese to the duties of the Müftilik represented a significant gain in status and power, since, as has been shown above (pp. 180–1), it was not unheard of for fifteenth-century Müftis to teach at imperial medreses. There is, unfortunately, insufficient evidence to show that this was a regular practice, and it may well be that Bayezid II regularized something which had previously been of only infrequent occurrence. Doubt on this point does exist, however, and it is thus perhaps questionable how far one should regard the appointment as a revolutionary step likely to rouse jealousy among the ulema in general. On the other hand, the appointment of the Müfti as *nazır* of Bayezid II's *evkaf* does seem to have been unprecedented and was also, clearly, a signal honour. Whether it was out of keeping with what might have been expected to the degree that it moved the ulema to protest is again questionable, however; and there is in any case no justification in the sources, including Âli, for associating the appointment as *nazır* of Bayezid II's *evkaf* with the Seyyidî Hamidî incident. While, then, it is perfectly possible that Âli is correct in his amplification, and Baysun in his interpretation, of the incident involving Seyyidî Hamidî, both ought probably to be treated with a certain amount of caution.[47]

Ali Cemâlî remained as Müfti until his death in 932/1525–6, this period comprising the last eight years of Bayezid II's reign, the whole of the reign of

[45] Âli, Add. 10,004, f. 62b.

[46] Baysun, 'Cemâlî' in *İA*, iii, 86b.

[47] No greater violence is done to the earliest sources by an explanation of Seyyidî Hamidî's jealousy on purely personal grounds, namely that having compiled the record of Bayezid II's *evkaf*, he had hoped for the appointment to the new medrese himself. This explanation would be the more likely if it could be shown that he was either still at the Sahn or perhaps out of a job when Ali Cemâlî was appointed. His own appointment to the kadılık of Istanbul might then be seen as a belated compensation for his disappointment.

Selim I (Ṣafar 918–Shawwāl 926/April 1512–September 1520) and the first six years of Süleyman's reign. Taşköprüzade relates two stories concerning Ali Cemâlî's relations with Selim I which show Ali Cemâlî to have been a restraining influence on that impetuous sovereign and in which Ali Cemâlî's own attitude toward his responsibilities as Müfti is clearly stated and various facts which bear upon the position of the Müfti are revealed. The full significance of these stories is best dealt with in the Conclusion, but one may lay the groundwork for that discussion by quoting the stories here.[48]

The first involves an order by Selim for the execution of 150 treasury officials whose offence, however, is not made clear. Ali Cemâlî heard of this and went to the divan where he was greeted with some surprise as it was not customary for the Müfti to appear in the divan except for an affair of some moment. He was given the chief seat, and word was sent to the sultan of his desire to speak with him. He was permitted by the sultan to enter alone, and when he had greeted him and sat down, he said: 'The duty of the Müftis (*arbāb al-fatwā*) is to watch over the after-life of the sultan. I have heard that you have ordered the executing of 150 men, the execution of whom is not lawful under the *sharī'a*. You must pardon them.' Selim was angered and replied: 'You are interfering in the affairs of state (*amr al-salṭanat*). This is not part of your duty.' Ali Cemâlî then answered: 'Nay rather I interfere in the matter of your after-life; that is part of my duty. If you pardon them, you will have salvation; if not, you will suffer a great punishment.' At this Selim's anger passed and he pardoned all of them. Ali Cemâlî conversed with him for an hour, and then, when he rose to go, said: 'I have spoken about the matter of your after-life; it remains for me to speak about generosity of spirit (*al-murū'a*).' When Selim asked what he would say, Ali Cemâlî replied: 'These men are the slaves of the sultan. Does it befit the integrity (*'irḍ*) of the sultanate that they should beg from the people?' When Selim replied that it did not, Ali Cemâlî said: 'Then set them again in their offices.' The sultan agreed to this but said that he would punish them for their dereliction in their duty. Ali Cemâlî agreed that this was lawful since such punishment (*al-ta'zīr*) was entrusted to the judgment of the sultan; and so saying, he departed.

The second story is of a similar nature and concerns Ali Cemâlî's saving 400 silk merchants from an order of execution given by Selim.[49] It too contains some interesting arguments, including the one that Ali Cemâlî had a right to interfere because the matter concerned the after-life; but it is chiefly interesting because when Selim recovered from his anger, he appointed Ali

[48] The two stories are to be found in Taş, i, 426–9; Mecdî, 305–7.

[49] On Selim's prohibition of the trade in silk, see H. İnalcık, 'Ḥarīr ii.—The Ottoman Empire' in *EI*[2] (especially iii, 213b). One occasion of the punishment of a number of merchants so engaged is to be found in the very brief record of events after Selim's return to Edirne from Egypt (6 Sha'bān 924/13 August 1518) in the *risale* of Haydar Çelebi (Feridun, i, 498: the *risale* is described below, p. 230).

Cemâlî to the two kazaskerliks combined.[50] Ali Cemâlî refused, however, saying that he had sworn an oath to God never to let the word *ḥakamtu* pass his lips. Taşköprüzade concludes the story by saying: 'And Sultan Selim loved him greatly for his rejection of fame and glory and wealth in order to preserve his religion; and he sent him 500 dinars, which Ali Cemâlî accepted.'[51]

Hammer, apparently basing himself on Âli, writes that in order to justify his campaign against the Mamlūk sultanate of Egypt, Selim I put three questions to Ali Cemâlî who, in his answers to them, gave a legal basis for the projected campaign.[52] Âli's account, however, does not support Hammer's assertion that Ali Cemâlî was the author of the fetvas: to the contrary, he is explicit on the point that Selim consulted the 'famous ulema' (*ulema-i namdar*) and that 'all the chiefs of the ulema (*kâffe-i sanadid-i ulema*) gave fetvas on [the Egyptians'] unbelief from three aspects, considered their error and heresy established, and accounted the killing of them incumbent'; while Solakzade, who gives the first and third fetvas, likewise says explicitly that the questions were put to the *ulema-i din*.[53] According to Âli, moreover, these fetvas were requested and given at or near Sivas when Selim, already

[50] Taş, i, 429: *'aṭaytuka ḳaḍā' al-'askar wa jama'tu laka bayn al-ṭarafayn*. Mecdî and later authors have interpreted this to mean that Selim gave Ali Cemâlî both kazaskerliks. Baysun adds that the offer was made on the condition that Ali Cemâlî also retain the Müftilik. There seems to be no justification for this in the sources, but it does suggest another possible interpretation of Selim's words as quoted by Taşköprüzade, namely that *bayn al-ṭarafayn* means not that Selim united 'the two sides' of the kazaskerlik but that he united the two sides of legal procedure, *iftā'* and *ḳaḍā'*: in other words, not that he combined the two kazaskerliks but rather that he combined one of them with the Müftilik.

[51] Taş, i, 429. Mecdî (p. 307) says that Ali Cemâlî accepted the 500 dinars *bî ḳuṣūr/bikusur*, which is here, possibly, to be taken as 'without fault', i.e. without prejudice to his attitude of preferring the things of the after-life to the things of this world (but cf. a passage in İnalcık, 'Bursa Kadı Sicillerinden Seçmeler' (as above, Chapter I, n. 74), doc. 108, where it is attested on behalf of Molla Vildân that he has received a stated sum *bî ḳuṣūr ve bî kusūr* (*bikusur ve biküsür*), i.e. 'neither more nor less, exactly', and on behalf of his brother that he has received a sum *bikusur*, i.e. 'in full').

Âli (Add. 10,004, ff. 62b–63a) says that Selim also gave Ali Cemâlî a 100-akçe increase in salary, but there seems to be no justification for this statement: cf. below, pp. 223, 290–1. See also the *risale* of Haydar Çelebi, where there is mention of the gift of a sable coat worth 500 gold pieces (*beşyüz frengî bir samur kürk*) to the Müfti Ali Çelebi on 7 Muḥarram 922/11 February 1516 (Feridun, i, 474): no hint is given as to the reason for the gift.

For another story illustrating Ali Cemâlî's restraining influence on Selim, see Hammer, *Histoire*, iv, 364 et sqq., according to which Ali Cemâlî helped to save the Christian community from a massacre similar to that of the Shiites. Hammer gives no source for this story, which is not to be found in any of the standard biographical sources.

[52] Hammer, *Histoire*, iv, 360–1, where the author has confusingly put the footnote reference to Âli after the third question, before the answer. Since his versions of the three questions and answers are essentially summaries of those in Âli, one assumes the latter to have been his source for all three.

[53] Âli, British Library MS. Or. 7832, f. 324a (I am grateful to Professor Ménage for drawing my attention to this passage); Solakzade, 431.

on campaign, though still ostensibly against Şah İsmail, received a particularly insulting letter from the Mamlūk sultan, Ḳānṣawh al-Ghawrī. Though Âli appears to be wrong about the place, since Selim's line of march passed some way to the south of Sivas, if he is right simply that the fetvas were given after Selim had left Istanbul it is unlikely that Ali Cemâlî was involved unless his opinion was sent for.

The study of both the events and the historiography of the Egyptian campaign is rendered difficult, the first by the fact that the protagonists were at some pains to conceal their true intentions, the second by the fact that while there exists a relative wealth of contemporary and near-contemporary sources, most of these are, unfortunately, as yet unpublished, and the systematic analysis of them has only just begun.[54] Since, however, a point of some importance for the history of the Müftilik arises from the account of these fetvas, namely the clear implication in Hammer that Ali Cemâlî was responsible for establishing the legality of the war, that it was on his authority that Selim proceeded with his plans, one must venture briefly into the muddy waters if only for the purpose of defining the problem. It has just been shown that Âli, Hammer's source, appears positively to contradict Hammer's assertion about the authorship of the fetvas as does the account in the *Selimname* of Kashfī (Keşfî: d. 931/1524–5), who, as *sır kâtibi* (confidential secretary) on both the Iranian and Egyptian campaigns, would seem to have been well-placed as an observer of events. Keşfî writes that before Selim left on the campaign he took advice from the ulema—clearly a number of scholars—concerning the Egyptians and was given the answer, in essence, that those who helped the Safavids were even more in error and deserving of being fought and destroyed than the Safavids themselves.[55] If Keşfî and Âli thus appear to disagree on the circumstances in which the fetva was given, they agree at least in general terms on the basis for the decision, since the answer in the first fetva quoted by Âli is, 'Who aids a heretic is himself a heretic': it should be noted in this regard that the one *fetihname* from the

[54] For a preliminary analysis of one of these sources, referred to below, namely the *Selimname* of Celâlzade Mustafa, see Celia J. Kerslake, 'The Selīm-nāme of Celāl-zāde Muṣṭafā Çelebi as a historical source', *Turcica*, ix/2–x (1978), 39–51. I am grateful to Dr. Kerslake for information on several points in the following discussion. For a general survey of the *Selimname* literature, see Dr. Ahmet Uğur, 'Selim-nâmeler', *Ankara Üniversitesi İlâhiyat Fakültesi Dergisi*, xxii (1978), 367–79; and for the general background to the Egyptian campaign, see Selâhattin Tansel, *Yavuz Sultan Selim*, Ankara, 1969, 108 et sqq.

[55] Keşfî, *Selimname*, Süleymaniye–Esad Efendi 2147, ff. 70b–71a. For Keşfî, see *OM*, iii, 122. Despite the fact that it seems clear from Keşfî's narrative that the fetvas were sought before Selim left Istanbul, Keşfî appears to show the taking of the fetvas as a response to the failure of the mission of the Ottoman ambassadors, Zeyrekzade Rükneddin and Karaca Paşa (ff. 69a–70b), who, however, left for the Egyptian court only on 3 Jumādā I 922/4 June 1516, just before Selim himself set out, and who reported back on 11 Rajab 922/10 August 1516, when the army was past Malatya, on the way to Aleppo (see Feridun, i, 450–1, 477–9).

Egyptian campaign which bears on this point reproduces almost exactly the sense of the decision given in Keşfî.[56] Yet another fetva, given in different circumstances, is mentioned in the *Selimname* of Celâlzade Mustafa, who writes that on 24 Jumādā II 922/25 July 1516, while the army was encamped at Söğütlü [-burnu], near Elbistan, an Ottoman ambassador returned from Ḳānṣawh al-Ghawrī and reported the latter's aggressive intentions. It seems that Selim had already sent to Istanbul seeking a fetva from 'the chief of the ulema of the Faith (*reis-i ulema-i din*), the Müfti of the believers', who can only be Ali Cemâlî, whose reply—essentially that the Egyptians are highway robbers (*ḳāṭi' al-ṭarīḳ*) and that battle against them constitutes a *jihād*—appears to have arrived at this point, Selim then deciding to turn away from 'the road to the east' and toward Malatya and thus the Egyptians.[57]

It must be said at once that the accounts of Keşfî, Âli and Celâlzade Mustafa are by no means mutually exclusive, that it is entirely possible that Selim sought backing on more than one occasion from the ulema on the extremely difficult problem of justifying war against the other great Sunnī ruler. There seems little doubt, however, that the idea of a campaign against the Mamlūks had been thoroughly canvassed, if not indeed finally adopted, before the sultan left Istanbul, and it seems most unlikely that he would have omitted to provide himself with the necessary justification for the campaign. Keşfî is, of course, quite explicit that the justification was sought before the commencement of the campaign and that it was provided by 'the ulema', however that might in practice be defined; and Âli, whose account of the circumstances in which the fetvas he mentions were given is perhaps harder to explain, is none the less clear on the point that the fetvas proceeded from a consensus of the ulema. If Celâlzade Mustafa is correct, then, in saying that Ali Cemâlî provided a fetva which reached the army at their camp near Elbistan, that fetva ought probably to be seen as essentially confirming a position already taken by the ulema in general; and to that extent, at least, the view of Ali Cemâlî's role implicit in Hammer's account must be modified.

From the point of view of the present study, the important question is not so much whether Ali Cemâlî gave a fetva on the matter—it can almost certainly be assumed that he did as one of the ulema mentioned by Keşfî, if on no other occasion—but whether any special weight was given to his opinion in his capacity as Müfti. It would appear on the basis of the evidence at present accessible that he played no special role in establishing the basic justification for the Egyptian campaign, though if Selim did, as Celâlzade Mustafa says, seek his advice individually even if only to confirm an already

[56] Feridun, i, 433, lines 33–6: see also below, n. 60.

[57] Celâlzade, *Selimname*, f. 129a. Celâlzade Mustafa (896–975/1490–1567) wrote the work in retirement, at some time in the period 1557–66 (Kerslake, op. cit., 39–40). The ambassador's return on the date, and to the encampment, given in the text—but not the arrival of the fetva—is mentioned in an anonymous *rūznāme* (*ruznameh*) of the Egyptian campaign: Feridun, i, 450. For Celâlzade Mustafa's use of these *ruznames*, see Kerslake, op. cit., 50.

established policy, the fact would not be without significance as it would constitute perhaps the first demonstrable instance of a sultan's having applied exclusively to the Müfti on a point of public policy. It is difficult to find information on the importance of the Müfti's role in judging the legality of major policy decisions during the period under review, but on the whole it seems likely that at least until towards the end of the period the sultans followed the practice of sounding the opinion of a number of the ulema, as was apparently the case in the primary justification for the Egyptian campaign.[58] There are two types of evidence on this point. The first comprises public pronouncements on policy, where, perhaps not surprisingly, the policy is said to rest upon the opinion of a, or the, body of scholars. Thus, for example, in the provision in Mehmed II's Kanunname which

[58] In an important sense the practice of consulting a number of the ulema appears to have continued well past the end of the period under consideration, at least down to d'Ohsson's day. With respect to the issuing of fetvas to do with *droit public*, as opposed to private fetvas, he writes (iv, 511–13):

> La première est du ressort du gouvernement: aussi n'est-il permis qu'à lui seul de consulter la loi sur tout ce qui concerne l'administration. S'agit-il de la paix, de la guerre, d'un nouveau réglement politique d'une loi militaire, de la punition d'un Ministre ou d'un Officier public, etc. le Ministère consulte le *Mouphty* et demande son *Fethwa*. Mais bien souvent avant d'en venir à cette formalité il discute l'affaire, non-seulement avec lui, mais encore avec les principaux membres des *Oulémas*. Il ne suffit pas en effet de s'assurer de la légitimité d'une entreprise, de la trouver conforme à l'esprit de la loi; il faut encore avoir le voeu de ce corps; mais sur-tout celui de son chef sur la nécessité, l'utilité ou les avantages que l'on peut s'en promettre.
>
> [In troubled times, or in the case of important undertakings or striking innovations] les dispositions du Souverain, appuyées sur un *Fethwa* et sur l'avis unanime des principaux *Oulémas*, sont infiniment plus respectables aux yeux du public;

and again (iv, 528):

> Si la question est relative au droit public, le *Mouphty* la discute avec les principaux *Oulémas*, et l'avis de la pluralité forme son décret. Dans ces cas mêmes, le *Fethwa* qu'il délivre est accompagné d'une declaration signée de tous ceux du corps qui ont été de cette opinion.

He goes on to say that when Müftis give their own opinions without the cooperation of the leading ulema, it leads to disputes which undermine public confidence.

The study of the Müfti's role in the period after the death of Ebüssu'ûd Efendi lies beyond the scope of the present study, but these passages should be kept in mind as a possibly necessary corrective to the picture of a Müfti to all intents and purposes absolute in his own sphere which emerges from sources like Rycaut (pp. 105 et sqq.: cf. below, n. 253), Lybyer (pp. 207 et sqq.) and Gibb/Bowen (i/2, 84–6) (who do, however, make passing reference to these remarks of d'Ohsson's) and from casual references in various contexts in numerous sources (e.g. Hammer in the present context) to such and such an action having been taken on the basis of such and such a Müfti's decision. None the less it would appear even from d'Ohsson that a point was reached where the Müfti became formally recognized as, at the least, the spokesman for the ulema (depending on the strength of his personality, he could, no doubt, be much more); and the argument both here and at several points later in the chapter is directed towards trying to establish whether this development occurred during the period under review.

pertains to the legality of the execution of the male relations of the sultan—the dating of the provision is essentially irrelevant to this particular point—one finds: 'Most of the ulema have declared this lawful.'[59] Similarly, certain *fetihnames* and other documents in Feridun relative to the Çaldıran campaign (920/1514) state clearly that the opinions concerning the justice of warring with Şah İsmail had been taken from the generality of the ulema.[60]

The second, and more elusive, type of evidence concerns the manner in which these seemingly collective decisions of the ulema were reached; and it is perhaps easier to state the tentative conclusion first, namely that the sultans appear to have consulted a body of the ulema, whose decision might in the end, however, be embodied in the fetva of a single individual.[61] Referring back to incidents involving fetvas cited in the previous chapters (see above, pp. 114, 181–2), one may discount for the present purpose the fetva requested from Taceddin Kürdî by Sultan Orhan since the problem was essentially a personal one; but it is worth noting that in the case of Murad I's consulting the ulema on the propriety of delaying the *gaza*, Neşrî is explicit that Murad 'assembled the ulema and asked for a fetva' and that 'the ulema' responded.[62] In so far as can be judged from the sources, the matter of Şeyh Bedreddin appears to be exceptional since both Âşıkpaşazade and Neşrî mention only that Mehmed I put the question to Burhaneddin Haydar Herevî and that his fetva provided the basis for Şeyh Bedreddin's execution. It is arguable, of course, to what degree the execution can be termed a major question of policy—the reason for seeking the fetva was that Şeyh Bedreddin was a member of the ulema, who were not normally liable to execution—and it is also possible that the sources have simply not mentioned the consultative process, merely recording the author and content of the

[59] Kanunname, 27.

[60] e.g. the Çaldıran *fetihname* sent to Şehzade Süleyman, where a *hükm-i şerif* sent to İsmail before the battle is quoted in which the following phrase occurs: *meşayih ve ulema biesrihim küfrüne hükmeyleyip katline fetva verdikleri cihetten* ... (Feridun, i, 386). See also the Çaldıran *fetihname* sent to the Khān of the Crimea; the third letter from Selim to İsmail before the battle; and the Egyptian *fetihname* written by İdris Bitlisî and sent to the Shāh of Shirwān (ibid., 388, 383–4, 438).

The only document relating to the Egyptian campaign which bears on the present point—a *fetihname* sent to the kadı of Edirne in late Rajab 922/late August 1516—is, unfortunately, ambiguous in respect of who gave the fetva justifying it: see Feridun, i, 433, lines 33–6 (*bir taife ... olmağın*). In this passage, the part before the *verdikten sonra*, in which the generality of the ulema is mentioned, clearly refers to the fetvas given against Şah İsmail. The source of the view which really justified the campaign against the Egyptians, namely that he who aids a heretic is worse than the heretic, is not made clear in the passage, though it may be implicit that the body of the ulema gave this opinion as well.

[61] For later practice in this last respect, see the passage from d'Ohsson, iv, 528, quoted in n. 58 above. d'Ohsson gives as an example the decree concerning the permitting of printing in the reign of Ahmed III.

[62] Neşrî: *Mx*, 52; Ank, i, 190.

operative fetva.[63] A rather similar case, with perhaps wider 'international' implications, is the execution of the king of Bosnia by Mehmed II in 867/1463. The particular reason for Mehmed's seeking the fetva is not made explicit in the sources but may well be the fact that the king had surrendered to Mehmed's Grand Vezir, Mahmud Paşa, on the latter's oath that his life and perhaps some of his lands would be spared. In any case the sources are explicit that Mehmed II put to the ulema the question of whether the taking of the king's life and possessions was lawful and was given an affirmative fetva by Shaykh 'Alī Bistāmī, known as Molla Musannifek, who himself struck the king down. What is not clear, unfortunately, is whether Molla Musannifek was expressing the collective will of the ulema or simply very forcibly, and irretrievably, expressing his own.[64]

Two incidents involving the use of fetvas in matters pertaining to what would now be called foreign affairs provide quite a close parallel to the Egyptian campaign, namely the debate over making peace with the Mamlūks in the 890–6/1485–91 war and the undertaking of the Çaldıran campaign against Şah İsmail in 920/1514. The first incident has already been mentioned in the biography of Molla Arab (see above, p. 181), where it was noted that when toward the end of the Egyptian war, an embassy came from the ruler of Tunis proposing a peace between the Ottomans and the Mamlūks, the ulema in general gave fetvas, presumably on the issue of whether to make peace or to continue the war. Though most of them declared the war legal, thus by implication, at least, urging its continuance, Molla Arab, the Müfti, dissented, and in the end his view, which was buttressed not only by legal but also by essentially political arguments, prevailed. It is not clear, however, how much the fact that he was Müfti had to do with the acceptance of his way of thinking. It is probable that his view was more in accord with sound politics than was that of the other ulema, which was no doubt one reason for Bayezid II's acceptance of it; and it is at the least clear that the view of the Müfti was not automatically accepted in preference to that of the other ulema since it took Molla Arab some considerable time and effort to persuade the sultan of the rightness of it. It would be interesting to know, however, if the fact that Molla Arab was Müfti played any part at all in bringing about Bayezid II's decision and whether Bayezid II ever justified his adoption of the peace policy advocated by Molla

[63] Certainly in the later, very similar cases of Molla Lûtfi and the Persian messenger of the Messiah (see above, pp. 182–6)—similar except in the sense that the sultan's own interests were not as closely involved, nor essentially political considerations as pressing, as in the case of Şeyh Bedreddin or in the other cases mentioned—there can be no doubt that a number of the ulema were involved in the deliberations, probably in the former case, certainly in the latter, including the Müfti. The strong impression left in both cases is that a number of the ulema gave fetvas individually which were then taken together to justify the decision.

[64] Apz/Giese, 159; Neşrî: *Mz*, 198; Ank, ii, 766 (the texts differ slightly). For Molla Musannifek, see Taş, i, 255–61; Mecdî, 184–7. It ought to be noted that in the cases of both Şeyh Bedreddin and the king, the sultans were on campaign, away from the capital.

Arab on the basis of the fact that Molla Arab was Müfti and that his opinion therefore carried more weight than that of the other ulema. There is, however, no evidence at all one way or the other on this point.

Turning now to the Çaldıran campaign, one finds a fairly detailed discussion of the background to the campaign in Selâhattin Tansel's book on Selim I.[65] Noting the fact that the sources assert that the ulema present at the assembly where the projected campaign was discussed gave fetvas on its legality,[66] Tansel none the less takes the view that the only justification Selim obtained for the campaign was a fetva from a certain Hamza, whom he fails to identify and whom, it is fair to say, he is inclined to characterize as a fly-by-night scholar who must have been induced to give the fetva by threats, money or his own fanaticism. This fetva, he writes, 'is the only document [known] at present which facilitated the slaying of the *kızılbaş* of Anadolu' (the reference being to the purge of Safavid sympathizers in Anadolu, which Tansel regards as having been an integral part of the planning for the campaign).

Tansel's argument on this point is unpersuasive in several respects. On the question of the authorship of the fetva, of which no fewer than three copies have so far been discovered in the palace archives,[67] there can be little doubt that the 'Hamza', whose signature appears at the bottom of all three copies and whom a note at the bottom of one copy identifies as Sarı Görez, is indeed Molla Nūr al-Dīn b. Yūsuf al-Ḳaraşiwī, known as Sarı Görez, an established scholar who had already been one of the Sahn müderrises to serve as Müfti pending Ali Cemâlî's return from the pilgrimage and who also, in the course of his career, held the kadılık of Istanbul (apparently from Jumādā I 917/July 1511 to Rajab 919/September 1513 and again from Rabīʿ II 924/May 1518 to Shawwāl 927/September 1521) and both kazaskerliks.[68]

[65] Tansel, *Yavuz Sultan Selim*, 31 et sqq., especially pp. 34–7. See also M. C. Şehabeddin Tekindağ, 'Yeni kaynak ve vesîkaların ışığı altında Yavuz Sultan Selim'in İran seferi', *TD*, xvii/22 (1968), 49–78, where a number of contemporary sources and documents which bear on the present problem are cited.

[66] To the sources cited by Tansel on this point (op. cit., 34, n. 56: the reference to Sa'deddin should be to ii, 240, where Selim is shown consulting the ulema as a general matter, not specifically at the assembly) should be added the quotation from Kemalpaşazade cited by Tekindağ (op. cit., 53) and that from Shaykh Jār Allāh b. Fahd al-Makkī (work written in 928/1521), cited also by Tekindağ (ibid., 53, n. 19).

[67] Tansel gives facsimiles of all three copies, grouped as document 14 in the appendix, and a transliteration of the fetva on pp. 34–5, n. 60. Tekindağ (op. cit., 54–5) also transliterates the fetva and gives a facsimile of one copy (TS/E6401) as the first of a number of documents appended to his article. For Tansel's view on the authorship of the fetva, see op. cit., 34, especially n. 59.

[68] See Taş, i, 443–5; Mecdî, 314–15; and above, p. 207. Some thirty documents signed by him are recorded in Barkan/Ayverdi (see Index, A. II., under 'Hamza b. Yusuf (Mevlânâ)'; certain of the documents under 'Hamza (Mevlânâ)' and the one under 'Nurüddin (Mevlânâ)': the documents defining his two periods of office are 2107, dated 1 Jumādā I 917; 906 (mid-Rajab 919); 917 (late Rabīʿ II 924); and 2163 (early Shawwāl 927)). It should be noted that the documents thus confirm the information about his

Tansel's doubts on this point, arising apparently from the fact that Sarı Görez is referred to generally in the biographical sources only as Nureddin and not as Hamza, may be dispelled first on the ground that Nureddin is a not uncommon *laḳab* with Hamza and second by the occurrence of his name in the form 'Mevlânâ Hamza Sarı Kürz' in a document pertaining to a *vaḳıf* dated late Muḥarram 920/late March 1514.[69]

The contents of the fetva itself, moreover, suggest very strongly that Sarı Görez was not alone in making the decision. Having rehearsed a certain number of specific charges against Şah İsmail and his followers, he continues: 'Because these aforementioned words and acts and others like them in contravention of the şeriat have become known and manifest by common report to me and to [the] other ulema of the true faith, I for my part (*biz dahi*) have given a fetva based on the requirement of the şeriat and what is transmitted in our books, that the aforementioned group are unbelievers and heretics. ...' While *biz dahi* is perhaps most safely translated 'I for my part (have given a fetva) ...', one cannot ignore the possibly more tendentious, but to the present author more likely, 'I too (have given a fetva) ...'. Whether one is justified in reading into the passage so clear an implication that the other ulema actually gave fetvas is perhaps arguable; but it seems implicit at the least that Sarı Görez's fetva represented a view commonly held among the ulema. Tansel finds strange this mention of 'the other ulema' in view of the fact that only Hamza's signature appears at the bottom of the document; but while, as he notes, it is not clear how the collective will of the ulema was reached or expressed, it would be stranger still to find so extended an 'answer' (*jawāb*/*cevap*) to a 'question' (*mas'ala*/*mesele*)—these two parts together constituting the fetva—bearing a number of signatures since *iftā'* is by its very nature an individual act (cf. above, n. 34). One may suppose that a number of ulema wrote fetvas independently, as the result of separate initiatives, of which perhaps only the best survived; or that, as appears not to have been uncommon by at least the mid-sixteenth century (see below, n. 162 and pp. 284–7), a single *mesele* was put to a number of ulema, who gave separate answers to the single problem (again, perhaps, in this case also only the best-argued having survived); or yet again, that, as seems effectively to have been the case in still later times (cf. above, n. 61), the ulema agreed (by whatever means) on the substance of an answer, which was then formally drafted by one of their number. It would seem to be

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second period as kadı added by Mecdî to Taşköprüzade's account. It would, of course, be interesting to know what post, if any, Sarı Görez held when he wrote the fetva, but not only are the facts of his career, apart from his tenure as kadı of Istanbul, difficult to date, it is also not clear when the fetva was written: see below, n. 72.

For the explanation of the transliteration of his nickname (also found as Sarı Kürz/Gürz/Kez/Gez), see Tekindağ, op. cit., 53, n. 20.

[69] For the *laḳab* Nureddin with Hamza, see, for example, Mecdî, 329, 401; Kâtib Çelebi, *KZ*, i, 190 (cf. Mecdî, 120–1); and for the document, Gökbilgin, *EPL*, 524–5.

out of keeping with the classic tradition of *iftā'*, however, that a number of scholars should put their signatures to a single *cevap*.

Beyond this suggestive internal evidence for the involvement of others than Sarı Görez in the decision one must note the existence of another document of a very similar type directed against Şah İsmail and his followers, written by Kemalpaşazade and variously entitled as, for example, *Risāla fī takfīr al-rawāfiḍ* and *Fetva-i Kemalpaşazade der hakk-i Kızılbaş*.[70] Strictly, neither Sarı Görez's nor Kemalpaşazade's statement should perhaps be termed a fetva since both are explicitly aimed at Şah İsmail and are not cast in the traditional impersonal form; but both may be essays based originally on fetvas, the essays possibly written, as Parmaksızoğlu suggests in the case of Kemalpaşazade's, 'to prepare Ottoman public opinion against [the Safavids]'.[71] However that may be, and whatever the circumstances in which, and the date at which, each was written,[72] they, together with the evidence in the histories of the period, make it seem certain that the legality of the campaign against the Safavids was widely discussed and that the campaign had a considerable measure of support from the Ottoman ulema. What attitude Ali Cemâlî took in the matter is not certain, since there is no reliable record either of his lending his support or of his refusing to do so.[73]

[70] See respectively Millet–Pertev Paşa 621, ff. 31a–b (transcribed in an appendix to Tekindağ's article, pp. 77–8) and Süleymaniye–Esad Efendi 3548, ff. 45a–b. The contents of the *risale*/fetva are summarized in E. Eberhard, *Osmanische Polemik gegen die Safawiden im 16. Jahrhundert nach arabischen Handschriften*, Freiburg i/B, 1970, 164–5, as are those of the fetva referred to in the following note.

[71] İsmet Parmaksızoğlu, 'Kemâl Paşa-zâde', in *İA*, vi, 563a–b: cf. Tekindağ, op. cit., 53. Appended to the Esad Efendi copy of Kemalpaşazade's *risale* is an actual fetva by 'Aḥmad'—i.e. Kemalpaşazade—to the effect that the fight against the Kızılbaş is *gaza-i ekber* and that death at their hands is *şehadet-i azime*.

[72] At the end of TS/E6401 (reproduced by both Tansel (op. cit., document 14/2) and Tekindağ (op. cit., plate I), the latter the clearer), in a commentator's hand, is a note that the müfti—presumably here simply in the sense of the one who has given this particular fetva—is Hamza, known as Sarı Görez. Possibly one illegible word follows, to be followed in turn by what appears to be: *wa wa'aẓa bihi ḥīna al-safar ilā al-Ardabīliyya al-malā'īn bi-Yaḥyā Pasha raḥimahu Allāh ta'ālā* ('and he preached on it [the fetva] at the time of the late Yahya Paşa's campaign against the accursed sect of Ardabil'). Tekindağ (op. cit., 55, n. 24) comments that 'this fetva, which was written in the name of Yahya Paşa and alludes to the Şah Kulu affair,' was most probably written in 1511–12; but while he goes on to give a certain amount of information about Yahya Paşa, the connection between the latter and the fetva is not made clear.

[73] Cf. Celâlzade Mustafa's account (*Selimname*, ff. 86b et sqq.), however, where Selim is pictured delivering a long speech weighing up his alternatives before deciding firmly on an attack against Şah İsmail. Certain of his advisers counsel that the matter should be put to the *Müfti-i din-i mübin*, and a fetva is accordingly sought from 'the scholar who was at that time *Müfti-i Müslimîn*' (who is not, however, named), who approves Selim's intended campaign (f. 88b). Despite Celâlzade Mustafa's relative nearness to events, his account at this point is so vague, almost perfunctory, and so at variance with the evidence of the other sources that it is difficult not to feel that he is projecting back to 1514 what possibly would have been normal practice by the time he was writing his work.

To return, then, to the question of Ali Cemâlî's involvement in the justification for the Egyptian campaign, it seems certain on the evidence of Hammer's own source that Ali Cemâlî did not play the uniquely important role in the formation of that decision which Hammer assigns him; and it seems likely on the basis both of the sources particularly concerned with the Egyptian campaign and of what appears to have been regular Ottoman practice that the decision was taken—or at least justified—on the basis of the collective opinion of the ulema, however that may have been arrived at or expressed. It may be, however, as Celâlzade Mustafa states, that Ali Cemâlî did play a significant part, if only a confirmatory one, once the basic policy had been determined and justified.

Ali Cemâlî appears to have been with Sultan Süleyman on the Rhodes campaign, for after the defenders had capitulated, Ali Cemâlî acted as *imām* and *khaṭīb* at the first Friday prayers, in the Church of St. John on 14 Ṣafar 929/2 January 1523.[74] Baysun states that Ali Cemâlî also, at the order of the sultan, organized the religious institutions to be established on Rhodes.[75]

Toward the end of his life, presumably after his return from Rhodes which probably occurred some time in 929/1523, Ali Cemâlî fell ill for a long period and became incapable of performing his duties as Müfti. Süleyman kept Ali Cemâlî in office but ordered him to appoint a *naib* to carry out the duties of the Müfti, this being the first and only recorded time in the period under consideration that such a step was taken. Ali Cemâlî chose Shaykh Muḥyi 'l-Dīn Muḥammad b. Molla Bahā' al-Dīn (Şeyh Muhyiddin Mehmed) 'because of his faith in his learning, his godliness and his piety'.[76] According to the *Shaḳā'iḳ* account, Şeyh Muhyiddin Mehmed received his training in *ilm* from Hatibzade and Molla Kestelli, among others, but then inclined to Sufism and entered the service of Shaykh Muḥyi 'l-Dīn

[74] See the *ruxname* of the Rhodes campaign in Feridun, i, 539. Ali Cemâlî is there referred to as 'Müfti Şeyh Ali', a name not generally applied to him in the sources, though Baysun gives evidence that he was called Molla Sufi Ali Cemâlî. The slightest question is raised about the identification of the person in the *ruxname* by the fact that 'Müfti Şeyh' was the sobriquet of Şeyh Abdülkerim, who held what seems to have been an *ad hominem* müftilik for some time during the reign of Süleyman (see below). There is no evidence, however, that Ali was part of his name; and unless the text in Feridun is corrupt, one must suppose the person in question to have been Ali Cemâlî.

[75] Baysun gives as his sources for Ali Cemâlî's activities on Rhodes Feridun, as above, and 'Celâl-zâde, *Fetihnâme-i Rodos*' (by Ṣāliḥ b. Jalāl (Mustafa's brother), in MS.), which I have been unable to consult. The fact that Ali Cemâlî organized the religious institutions on Rhodes is not mentioned in the *ruxname*.

[76] Taş, ii, 32. Ali Cemâlî's illness and the subsequent arrangements are not mentioned in the *Shaḳā'iḳ* article on Ali Cemâlî but are alluded to in that on Şeyh Muhyiddin Mehmed, for whom see Taş, ii, 30–3; Mecdî, 427–9; Müstakimzade, ff. 6b–7a.

On the length of Şeyh Muhyiddin Mehmed's tenure as *naib*, cf. Âli, who appears to say that he acted for only a few days: *ve Mevlânâ Alâeddin Cemâlî müfti iken bir kaç gün mariz oldukta niyabeten* [v.l. *niyabet-i*] *fetva dahi verdiler* (so in Or. 7832, f. 351b; Add. 10,004, however, reads ... *bir kaç günden sonra mariz oldukta niyabeten* ... (?) (ff. 153a–b)).

al-Iskilībī (Şeyh Muhyiddin İskilibî: d. 920/1514),[77] Ebüssu'ûd Efendi's father, by whom he was licensed for *irşad*. He stayed in his native land, Balıkesir, for a period, according to Mecdî, as head of a *zaviye* there. He then came to Istanbul where he eventually became head of the *zaviye* of his şeyh, Şeyh Muhyiddin İskilibî, after the death of Shaykh 'Abd al-Raḥīm al-Mu'ayyadī (Şeyh Abdürrahim Müeyyedî) in 944/1537–8.[78] He seems to have remained in that post until, having gone on the pilgrimage in 951/February 1545, he died in Kayseri in the following year (952/1545–6).[79]

Müstakimzade gives a different version of his career, however, saying that when Şeyh Muhyiddin İskilibî died (920/1514), the headship of his *zaviye* in Istanbul was first offered to his son, Ebüssu'ûd Efendi, who refused it, and then given to Şeyh Muhyiddin Mehmed; he thus concludes that the latter was appointed *naib* for the Müfti while he was head of Şeyh Muhyiddin İskilibî's *zaviye*. This would seem to be untenable, however, in view of the fact that in various places in the *Shaḳā'iḳ* one finds unusually specific and consistent information which allows one to construct a list of the heads of the *zaviye*: Şeyh Muhyiddin İskilibî died in 920/1514 and was succeeded by Shaykh Muṣliḥ al-Dīn al-Sīrūzī,[80] on whose death in 926/1520 Şeyh Abdürrahim Müeyyedî succeeded to the headship which he maintained until his death in 944/1537–8, when Şeyh Muhyiddin Mehmed succeeded to it. In view of this, one may conclude that whatever Şeyh Muhyiddin Mehmed's position, if any, may have been at the time of his appointment as Ali Cemâlî's *naib*, he was almost certainly not the head of the *zaviye* of Şeyh Muhyiddin İskilibî.

Müstakimzade also mentions another müfti of the period, Shaykh 'Abd al-Karīm al-Ḳādirī (Şeyh Abdülkerim), known as Müfti Şeyh, though in what relationship the müftilik held by Şeyh Abdülkerim stood to the office of Müfti of Istanbul is not made clear.[81] According to the *Shaḳā'iḳ* account of Şeyh Abdülkerim's life, he was born in Kirmasti, south-west of Bursa. Having first studied *ilm*, he then entered the path of Sufism, eventually becoming the head of the Küçük Ayasofya *zaviye* in Istanbul where he occupied himself both with *irşad* and with the acquisition of a thorough

[77] Taş, i, 519–24; Mecdî, 349–51; and below, pp. 272 et sqq. He was generally known as Shaykh Yawşī (Şeyh Yavsî).

[78] Taş, ii, 29–30; Mecdî, 426–7. Known as Hacı Çelebi, he was the brother of 'Abd al-Raḥmān, known as Müeyyedzade (Taş, i, 430–7; Mecdî, 308–11; and below, n. 104).

[79] Cf. Kâtib Çelebi, *KZ*, ii, 1287, where 956/1549 is given as the year of his death. Mecdî (p. 429) gives a chronogram for his death which, he says, works out to 952 but which appears to work out to 963:

بهاء الدين زاده ايتدى عزم دركه بيچون

[80] Taş, i, 524; Mecdî, 351–2. Mecdî, in his *tezyil*, gives for Şeyh Muslihiddin's death a chronogram which he himself saw on the latter's gravestone: رحمت ايده رحيم (926).

[81] Müstakimzade, f. 7a. His article is introduced by the same phrase used to introduce that on Hızır Bey: *al-shay' bi'l-shay' yudhkaru*. For Şeyh Abdülkerim, see also Taş, ii, 150–2, Mecdî, 517–18.

knowledge of *fiḳh*. He was possessed of an extraordinary memory and became so skilled in the law that Süleyman appointed him müfti with a daily salary of 100 akçe, in which office he gave fetvas to the people—or, in Mecdî's slightly amplified rendering, '[Süleyman] permitted him, like the Şeyhülislâm, to give fetvas to the people.' He died about 950/1543–4.[82]

Baysun writes that when Ali Cemâlî fell ill, Süleyman did not remove him from the post of Müfti, but met the situation by licensing Şeyh Muhyiddin Mehmed and Şeyh Abdülkerim to give fetvas. In so far as this suggests that the two men held the same sort of job, it is misleading. It is clear in the early sources that Şeyh Muhyiddin Mehmed was appointed an official *naib* for the Müfti Ali Cemâlî, and the assumption is that he ceased to hold the office when Ali Cemâlî died and Kemalpaşazade succeeded to the Müftilik. There is no suggestion in the sources, however, that the müftilik held by Şeyh Abdülkerim was in any way connected with the office of Müfti of Istanbul except in so far as he shared one of the functions of the Müfti, namely the giving of fetvas to the people. No evidence exists that he was appointed to his müftilik during Ali Cemâlî's illness. There is not, moreover, any evidence that he ceased to hold his müftilik when Ali Cemâlî died and Kemalpaşazade took over; and it seems entirely possible that he held it until his own death. While Şeyh Muhyiddin Mehmed, then, seems to have held an official, and temporary, appointment as *naib* to the office of Müfti of Istanbul, Şeyh Abdülkerim appears to have held an *ad hominem* müftilik, given him in respect of his great skill in *fiḳh*, which was not in any official way connected with the Müftilik.

Aside from the fact that Şeyh Abdülkerim shared part of the functions of the Müfti of Istanbul in that he gave fetvas to the people, the only point of comparison between his müftilik and the Müftilik of Istanbul concerns salary. Şeyh Abdülkerim was appointed to his müftilik with a daily salary of 100 akçe, and there is no mention that this amount was ever increased. As has been noted above, 100 akçe a day was Ali Cemâlî's salary at his accession in 910/1504, although not long after, he received a further 50 akçe a day in respect of his teaching at the Bayezid II medrese in Istanbul, his total salary thus becoming 150 akçe. At some point in Süleyman's reign he was given a further 50 akçe a day, this raising his total salary to 200 akçe daily. According to Mecdî, this increase in salary was given in Dhu 'l-Ḥijja 931/September–October 1525, shortly before Ali Cemâlî's death,[83] and, in all probability, after he had become incapacitated.

Taşköprüzade writes that Ali Cemâlî died in the year 932/1525–6, mentioning at the same time that he himself, in company with his father,

[82] Though Müstakimzade (f. 7a) states that according to the *Shaḳā'iḳ* he died in 956/1549, Taş and Taş/Rescher (p. 329) give 950/1543–4, while Mecdî gives 951/1544–5. Taş MS. is, unfortunately, deficient at this point.

[83] Mecdî, 307. Atâ'î (p. 277) says that he was given this increase 'in the last days of his life'.

visited Ali Cemâlî on his death-bed.[84] He does not give the month of his death, however, and of the later sources, virtually all of whom follow Taşköprüzade in giving 932, only Rifat Efendi mentions a month, and that indirectly: in his article on Kemalpaşazade, he states that the latter succeeded to the Müftilik in Sha'bān 932/May–June 1526.[85] Only the *Sicill-i Osmanî* gives a different year for his death, saying that he died in Dhu 'l-Ḥijja 931/September–October 1525;[86] but it seems possible that the author has confused the date which Mecdî gives for the increase in salary bestowed on Ali Cemâlî and the date he gives for his death. Ali Cemâlî was buried in the courtyard of a *mektephane* which he had built in the neighbourhood of Zeyrek.[87]

Kemalpaşazade

Ali Cemâlî was succeeded in the Müftilik by one of the most famous of all Ottoman scholars, Molla Shams al-Dīn Aḥmad b. Sulaymān b. Kamāl Pasha, known as İbn Kemal or Kemalpaşazade.[88] The only source to give a date for his birth is Kâtib Çelebi, who gives 873 (1468–9) and also says that he died in 940 (1534) at the age of 67.[89] The date for his birth, while not certain to be correct, is not out of line with the fact that, as will be shown, Kemalpaşazade is known to have advanced reasonably far with his studies and to have served for some time in the Ottoman cavalry by 893/1488. About

[84] Taş, i, 429–30. Mecdî (p. 308) gives three chronograms for his death, all of which are by poets of the time and work out to 932.

[85] Rifat Efendi, 17; but cf. Gökbilgin ('Süleyman I.' in *İA*, xi, 107a), who, relying on Âli and the '*Süleyman-nâme* of Bostân', reports that the governance of Istanbul was left to Güzelce Kasım Paşa and the Müfti Kemalpaşazade when Süleyman left for the Mohács campaign on 11 Rajab 932/23 April 1526. For the *Süleymanname* of Bostan, see Hüseyin Gazi Yurdaydın, 'Bostan'ın Süleymannâmesi', *Belleten*, xix (1955), 137–202. Yurdaydın identifies the author as Molla Bostan (as above, p. 57), for whom see Atâ'î, 129–32; B. Lewis, 'Bostānzāde (1)' in *EI*².

[86] *SO*, iii, 488.

[87] Mecdî, 308; Müstakimzade, f. 6a. See Barkan/Ayverdi, doc. 1603, for a summary of a *vakfiye* of Ali Cemâlî's, dated mid-Dhu 'l-Ḥijja 928/early November 1522 and containing quite detailed stipulations and a certain amount of information on his family (e.g. that his wife's name was Aişe).

[88] Taş, i, 591–8; Mecdî, 381–5; Âşık Çelebi, ff. 37a–39b; *Katā'ib*, ff. 387b–390a; Âli, Add. 10,004, ff. 140a–142b. Two more recent comprehensive biographies may be mentioned here: İsmet Parmaksızoğlu, 'Kemâl Paşa-zâde' in *İA* (hereafter 'Parmaksızoğlu'), which, though marred by sometimes blatant factual errors, is a treasure trove of useful information and references; and the chapter 'İbn Kemal'in hayatı ve eserleri' in Şerafettin Turan (ed.), *İbn Kemal, Tevârih-i Âl-i Osman, vii. defter (tenkidli transkripsiyon)*, Ankara, 1957, ix–xix (hereafter 'Turan'), which is particularly valuable for an exhaustive survey of the various views regarding Kemalpaşazade's birthplace and immediate forebears, in which he makes use of material in Kemalpaşazade's history, and for information on his works. See also V. L. Ménage, 'Kemāl Pasha-zāde' in *EI*².

[89] Kâtib Çelebi, *Sullam*, f. 21b.

the place of his birth there is considerable dispute, however, various authors putting forward Edirne, Tokat, Amasya, and Dimetoka. A thorough discussion of these various views will be found in Turan's work,[90] and the full discussion need not be repeated here; suffice it to say that reputable early authority exists for both Edirne and Tokat,[91] and it seems impossible to choose between them. These same early sources are agreed, however, that wherever he was born, he grew up in Edirne.[92]

Kemalpaşazade's grandfather, from whom he took his name, was an emir of the time of Mehmed II who became toward the end of his life tutor (*lala*) to Şehzade Bayezid in Amasya.[93] Süleyman Bey, Kemalpaşazade's father, was likewise an emir and served for a considerable part of his life in Anatolia. From 879 to 884 (1474–5 to 1479) he was *muḥāfiẓ* (*muhafız*: commander) of Amasya, in the latter year being moved to Tokat as sancak bey;[94] and in

[90] Turan, ix, n. 2. He does not, in fact, discuss the view that Kemalpaşazade was born in Dimetoka, which is to be found in the *tezkere* of Riyāḍī (Riyâzî: work completed in 1018/1609–10, d. 1054/1644), British Library MS. Or. 7066, f. 11b. This view seems not to have met with general favour, however, and is called untrustworthy in *OM*, i, 223, n. 1, while Danişmend dismisses it out of hand (as, indeed, he does the view that Kemalpaşazade was born in Edirne: ii, 430).

[91] For Edirne, see Sehî, 43: Mecdî (p. 381) says that he was 'connected with' (*müntesib*) Edirne. For Tokat, see Latîfî, 79–80, followed by Kâtib Çelebi (*Sullam*, loc. cit.), among others. Taşköprüzade says nothing about Kemalpaşazade's birthplace.

[92] Latîfî, loc. cit., where this is directly stated, although it is only implicit in Sehî and Mecdî.

[93] It is mentioned in Taş, i, 591, that he was one of the Ottoman *umarā'* (*ümera*). The fact that Kemal Paşa was Bayezid II's tutor would seem to be referred to in Âşık Çelebi (f. 37a), who writes that one of the arguments used by Müeyyedzade to persuade Bayezid II that Kemalpaşazade was worthy of patronage (see below) was the fact that he was *padişah'ın lalazadesi*. Hüsameddin says that Kemal Paşa became *lala* to Bayezid II in 870/1465–6 and died in 875/1470–1 out of grief arising from an attack by Uzun Hasan on Sivas and Tokat in that year (*Amasya*, iii, 227), while Parmaksızoğlu writes that he was removed from office at the time of Uzun Hasan's attack and went to Istanbul, where he died 'as a result of the grief which he felt in that city'. According to Âşıkpaşazade, when one Kemal Paşa died in Istanbul, 'they erected a dome (*kubbe*) over him' (Apz/Giese, 197). His *türbe* subsequently became the centre of a quarter in Istanbul (Barkan/Ayverdi, p. 149, especially n. 2), the *mescid* of which later benefited from a *vakıf* established by Kemalpaşazade in 936/1530 (ibid., doc. 864): cf. Ayvansarayı, *Hadikat*, i, 180, which mentions a Kemal Paşa *mescid* in which both Kemal Paşa and his son, Süleyman Bey, are said to be buried. For other possible references to this Kemal Paşa, see Ménage, op. cit., 879b–880a.

[94] Hüsameddin, *Amasya*, iii, 230–2. Süleyman Bey was sent to Tokat as a result of the so-called 'Halîmî Çelebi affair', which began in 879 and which brought down the wrath of Mehmed II on Bayezid II's advisers: for details, see *Amasya*, iii, 229–32; Gökbilgin, 'Müeyyed-zâde' in *İA*. The firman which brought an end to the affair is to be found in Feridun, i, 270–1, and is dated 12 Muḥarram 884/5 April 1479: Hüsameddin's dating of the firman in 883 thus needs correcting. Hüsameddin does not actually give the date of Süleyman Bey's appointment, and the date 879 seems to have been assumed by Parmaksızoğlu and Turan from his involvement in the Halîmî Çelebi affair which began in that year.

892/1487 he returned to Amasya as *muhafız*, to be sent again to Tokat as sancak bey in 896/1490–1.[95] Relative to the assertion of the sources that Kemalpaşazade grew up in Edirne, it would be interesting to know whether it was customary for Ottoman emirs to take their families with them when going on extended tours of duty away from home, as it would seem, on the assumption that Kâtib Çelebi's date for Kemalpaşazade's birth is correct, that Süleyman Bey was in Anatolia almost uninterruptedly from the time Kemalpaşazade was six.

About Kemalpaşazade's mother there is some confusion. All the sources are agreed that she was in some way related to İbn Küpeli, who rose to the office of kazasker in the time of Mehmed II (see above, p. 153); but whether she was his sister or his daughter is in dispute. Taşköprüzade, followed by Mecdî and Sa'deddin, writes that İbn Küpeli had two sisters, one of whom married Sinan Paşa (b. Hızır Bey), the other, Süleyman Çelebi b. Kemal Paşa.[96] el-Kefevî, in his biography of Kemalpaşazade, incorporates this passage from Taşköprüzade almost verbatim, but substitutes *bintāni* for *ukhtāni*, a reading which has found favour among later authors, including Parmaksızoğlu and Turan. It is not clear, however, what the justification for this alteration is; and the problem would seem, on present evidence, to be irresolvable.

In his youth Kemalpaşazade studied *ilm* and seems to have advanced some way in his studies[97] before he followed the tradition of his father's side of the family and joined the army. According to Âli, he became a *sipahi*; and both Parmaksızoğlu and Turan are inclined to take this to mean that he was attached to the *altı bölük*, the six companies comprising the standing cavalry. These were, however, mainly drawn from the *kul*, a fact which may well be behind Uzunçarşılı's assertion that Kemalpaşazade became a *timarlı sipahi*

[95] Hüsameddin, *Amasya*, iii, 237–8. Both Parmaksızoğlu and Turan seem to have missed, or dismissed without mention, these appointments, the former saying that Süleyman Bey came to Istanbul after the Halîmî Çelebi affair and there died, the latter that he came to Istanbul and died after his (first) appointment as sancak bey of Tokat. According to Hüsameddin, Süleyman Bey left Amasya for Tokat as a result of the same general upset by reason of which Ali Cemâlî abandoned the müftilik of Amasya and the müderrislik of the Bayezid II medrese there (see above, pp. 202–3).

[96] Taş, i, 304; Mecdî, 215; Sa'deddin, ii, 510.

[97] According to Taş (i, 591, 593) and Mecdî (p. 381), he read the bases (*mabānī*) of the sciences in his youth, while Âli (f. 140a) writes that he had studied the *mukhtaṣarāt* completely before he joined the army. One might also note in this connection that, as mentioned below, when he left the army he was able to begin immediately on a reasonably advanced text in logic, Seyyid Şerif's *Sharḥ al-Maṭāli'*, which was apparently normally taught at the 20- or 30-akçe medrese level: see Uzunçarşılı, *İT*, 13.

(i.e. a 'feudal' *sipahi*);[98] this indeed seems a more natural assumption than Parmaksızoğlu's and Turan's.

After some time spent in the army, Kemalpaşazade decided to forsake military life for scholarship. The story of how he came to make this decision is quoted by Taşköprüzade from Kemalpaşazade himself. While on campaign with Bayezid II, he happened to be present one day at a *meclis* of the vezir Çandarlı İbrahim Paşa's attended by the great emir Ahmed Bey b. Evrenos,[99] over whom no other emir took precedence. One of the ulema came, however, a man poorly dressed, and sat above Ahmed Bey. Kemalpaşazade was amazed when no one hindered him from doing so; on asking a companion who it was, he was told that it was the müderris of the Filibe medrese, Molla Lûtfi. When Kemalpaşazade enquired about his salary and was told that it was 30 akçe a day, he asked: 'How can he sit over this emir when his rank is so low?', to which his companion replied: 'The ulema are revered for their *ilm*; had he held back, neither the emir nor the vezir would have been pleased.' Kemalpaşazade then decided that if he remained in the army he would never reach the rank of Ahmed Bey but that if he occupied himself with *ilm* it was possible that he might attain the rank of Molla Lûtfi; and consequently, on his return from the campaign, he entered the service of Molla Lûtfi, who had by that time become müderris at the Darülhadis in Edirne with 40 akçe, and read under him the *Sharḥ al-Maṭāli'*.

There is some confusion over the dating of this incident, partly resulting from the fact that Âli states that İbrahim Paşa was Grand Vezir at the time, an office which he held from 903/1498 to 905/1499.[100] Parmaksızoğlu, followed by Turan, points out that as Molla Lûtfi was executed in 900/1495 (see above, p. 182), the event must have taken place before that date, in the period when İbrahim Paşa was second vezir, an office which he held from at least 893/1488 (having become a vezir in 891) until his accession as Grand Vezir; and he suggests that it must have occurred during the Albanian campaign of 897/1492.

The evidence of Molla Lûtfi's career indicates, however, that the incident may well have occurred even earlier than 897. According to the *Shaḳā'iḳ* account of Molla Lûtfi's life, after Bayezid II's accession (886/1481), Molla Lûtfi taught first at the Kaplıca (Murad I) medrese in Bursa, then at the

[98] Uzunçarşılı, *OT*, ii, 664. The only important exception to the general rule that the *altı bölük* were drawn from the *kapı kulları* is that the two companies of the *ghurabā'*/*gureba* were, at least until the end of the sixteenth century, partly drawn from 'foreign' Muslims or from Muslims who had distinguished themselves in particularly dangerous circumstances on the battlefield (Uzunçarşılı, *Kapıkulu ocakları*, ii, Ankara, 1944, 152; Gibb/Bowen, i/1, 69). The possibility that, on one pretext or another, Kemalpaşazade became attached to this group cannot be ruled out.

[99] d. 903/1497–8: see I. Mélikoff, 'Ewrenos Oghullari' in *EI²*.

[100] This and the following details about İbrahim Paşa are taken from V. L. Ménage, 'Djandarli' in *EI²*. See also above, p. 21.

medrese in Filibe,[101] at the Darülhadis in Edirne with 40 akçe daily, at one of the Sahn, and finally at the Murad II (Muradiye) medrese in Bursa with 60 akçe daily. The *muhasebe* of the Sahn for the year 1 Dhu 'l-Ḳa'da 894/26 September 1489 to 29 Shawwāl 895/15 September 1490 shows Molla Lûtfi to have been müderris at the seventh medrese of the Sahn for that whole year, with a daily salary of 50 akçe.[102] It would thus seem that the incident must have occurred some little time before Dhu 'l-Ḳa'da 894/September 1489. It has proved impossible to find a reference to a campaign made by Bayezid II himself into Rumelia between 891/1486, the year İbrahim Paşa first became a vezir, and 894/1489, though this, of course, does not necessarily mean that he did not make one; and it may be pointed out in this regard that the fact that the sultan himself was present is not an integral part of the story—in fact, it is given by Taşköprüzade as indirect speech and not as part of Kemalpaşazade's direct speech—and may well be no more than an embellishment on Kemalpaşazade's or Taşköprüzade's part. If the question of the campaign involved cannot be satisfactorily settled, however, the specific reference in the story to the posts held by Molla Lûtfi taken together with the evidence of his career in the biography on him and the documentary evidence in Gökbilgin is sufficiently consistent to suggest that this part of the story forms a sound framework in terms of which the details concerning the campaign need to be explained.

Having completed his studies under Molla Lûtfi, Kemalpaşazade read under certain other of the ulema, among whom Molla Kestelli, Hatibzade, and Molla Mu'arrif-zāde[103] are named. The circumstances surrounding Kemalpaşazade's appointment to his first post, the Ali Bey (Taşlık) medrese in Edirne, have already been discussed in some detail (see above, pp. 57–8); and it was there noted that Müeyyedzade,[104] the Anadolu kazasker and an

[101] Taşköprüzade's (and el-Kefevî's) 'medrese of Sulṭān Murād Khān Ghāzī' is identified by Sa'deddin (ii, 547) as the Kaplıca medrese; Mecdî (p. 296), however, says that he was appointed to the medrese of Sultan Bayezid in Bursa. Mecdî identifies the medrese in Filibe as that of Şihâbeddin Paşa: see Baltacı, *O. Med.*, 141–2.

[102] Gökbilgin, *EPL*, 304.

[103] Taş, i, 299; Mecdî, 212–13. No other name is given for him in the *Shaḳā'iḳ*, although Parmaksızoğlu gives his name as 'Muarrif-zâde Sinâneddin Yusuf Efendi'. The information on him is scanty. He was a native of Balıkesir who studied under Hızır Bey and, after having taught at certain (unnamed) medreses, became Bayezid II's Hoca and was greatly loved by him. He became blind toward the end of his life, but no date for his death is given.

[104] Taş, i, 430–7; Mecdî, 308–11. See also Gökbilgin, 'Müeyyed-zâde' in *İA*. The *Shaḳā'iḳ* biography is unusually specific in regard to dates. Müeyyedzade became kadı of Edirne in 899/1493–4, subsequently succeeding to the Anadolu kazaskerlik in Rabī' I 907/September–October 1501. He remained in this post until, on the death of Hacıhasanzade in 911/1505 (see above, Chapter I, n. 61), he succeeded to the Rumeli kazaskerlik. Removed in Rajab 917/September–October 1511, he was later returned to that same office in Rajab 919/September 1513 and was present on the Çaldıran campaign, on the return from which, however, he was removed in Sha'bān 920/October 1514. He died on 15 Sha'bān 922/13 September 1516.

old family friend, secured for him not only the medrese post but also a commission to write, in Turkish, a history of the Ottoman dynasty as a companion piece to that in Persian which had been commissioned from İdris Bitlisî. Two pieces of evidence enable one to date this appointment in 908/1502–3: first, the fact that İdris Bitlisî began the writing of his history in that year; and second, the fact that a notice in a *saray defteri* of Bayezid II shows Kemalpaşazade to have been teaching at the Ali Bey medrese on 10 Muḥarram 909/5 July 1503.[105]

The appointment seems to have carried with it a daily salary of 30 akçe.[106] According to Âşık Çelebi, Müeyyedzade soon found a pretext for raising Kemalpaşazade a little higher in the ranks when İdris Bitlisî retired to his *zi'āma* (*zeamet*), the town of Dupniçe (Kyustendil), saying that he needed a suitable atmosphere for the writing of his history, and subsequently divided his time between Dupniçe and Sofya. Arguing that Kemalpaşazade would profit from a change of scene, indeed that if he did not receive one he might advance that fact as an excuse for not getting on with the writing of his history, Müeyyedzade petitioned the sultan to appoint him to the İshak Paşa medrese in Üsküp, with which appointment Kemalpaşazade received a daily salary of 40 akçe.[107] Parmaksızoğlu associates this appointment with Müeyyedzade's succession to the Rumeli kazaskerlik which, as noted above, he incorrectly asserts to have occurred in 917/1511–2; he may, however, be correct in placing this appointment at or after Müeyyedzade's succession to the Rumeli kazaskerlik (911/1505–6) since the appointment to the Üsküp medrese would normally be at the disposition of the Rumeli kazasker and, as

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Müeyyedzade's friendship with Kemalpaşazade's family arose probably at the time of the Halîmî Çelebi affair in which Süleyman Bey, Kemalpaşazade's father, was involved (see above) and Müeyyedzade even more so, being one of the two of Bayezid II's advisers sentenced to death in the firman sent by Mehmed II. Bayezid II was forewarned of the decree, however, and helped Müeyyedzade to escape to Aleppo (for references, see above, n. 94).

[105] For the writing of İdris Bitlisî's history, see Ménage, 'Bidlīsī' and 'Kemāl Pasha-zāde' in *EI*²; and for the note from the *saray defteri*, Gökbilgin, *EPL*, 479.

Parmaksızoğlu has confused the dates of Müeyyedzade's and Hacıhasanzade's kazaskerliks, saying that the latter acceded to the Rumeli kazaskerlik in 911/1505–6—in which year, in fact, he died and Müeyyedzade was appointed Rumeli kazasker—and that in 917/1511 Müeyyedzade succeeded to the Rumeli kazaskerlik whereas in fact he was in that year removed from it. His conclusion that Kemalpaşazade could not have been appointed to the Ali Bey medrese before 911 is thus untenable, and the confusion in his dating also renders doubtful his conclusion regarding the dating of one of Kemalpaşazade's later medrese appointments.

[106] None of the early sources mentions Kemalpaşazade's salary, but Parmaksızoğlu gives 30 akçe, a likely figure in view of the fact that Ali Cemâlî, whose first appointment was also the Ali Bey medrese, received 30 akçe: see above, p. 199, and also Baltacı, *O. Med.*, 446–8 (the reference to Mecdî at p. 446, n. 2218, appears to be incorrect, however). It might be noted that Kemalpaşazade was given 30,000 akçe (so in Âşık Çelebi and Mecdî: 10,000 in Âlî) by Bayezid II for the writing of his history.

[107] Âşık Çelebi gives neither the name of the medrese nor the salary but Mecdî (pp. 382, 385) gives both.

far as can be gathered from Âşık Çelebi, Müeyyedzade petitioned the sultan directly to grant it.

Kemalpaşazade subsequently taught at the Halebî medrese in Edirne; at one of the Üç Şerefeli medreses, also in Edirne; at one of the Sahn; and finally at the Bayezid II medrese in Edirne. Of the biographers, only Parmaksızoğlu dates any of these appointments, writing that it can be shown that Kemalpaşazade was transferred to the Halebî medrese in 918/1512–13 because it was while he was müderris there that he wrote his *Risālat al-ḳāfiyya*, which title is a chronogram working out to 918.[108] While this would seem to establish that Kemalpaşazade was teaching at the Halebî medrese in 918, it is not clear on what basis Parmaksızoğlu asserts that he was transferred to it in that year, a statement which perhaps draws strength from his erroneous conclusion that it was not until 917 that Kemalpaşazade was appointed to the Üsküp medrese.

All the sources are agreed that following his tenure at the Bayezid II medrese Kemalpaşazade became kadı of Edirne. Müstakimzade seems to be the earliest of the biographical sources to give a date for this appointment, namely 921/1515.[109] This date is confirmed and made more specific by a *risale* to be found in Feridun, written by the *divan kâtibi* (later reisülküttab) Haydar Çelebi, which covers the years of Selim I's reign from the beginning of the Çaldıran campaign (Muḥarram 920/March 1514) to his death (Shawwāl 926/September 1520), though the period from his return from the Egyptian campaign (Rajab 924/July 1518) to his death is given only scant notice. According to Haydar Çelebi, Kemalpaşazade was appointed to the kadılık of Edirne on 10 Rajab 921/20 August 1515, shortly after Selim's return from the Çaldıran campaign (29 Jumādā I 921/11 July 1515).[110]

[108] The fact that the title is a chronogram is noted by Mecdî (p. 385) and Kâtib Çelebi (*KZ*, i, 881), but I have been unable to find the source of Parmaksızoğlu's statement that Kemalpaşazade was at the Halebî medrese when he wrote it (his statement that the Halebî medrese was *altmışlı* (p. 563a: cf. Turan, xiii) is certainly incorrect). Baltacı (*O. Med.*, 166, 481) has Kemalpaşazade appointed to the Çifte Ayakkurşunlu medrese on the Black Sea (Golden Horn) side of the Sahn in 918/1512 and to the Bayezid II medrese in 919. No source is given for the latter statement, while the former depends on the same document which gives a possibly suspect date for Sa'dî Çelebi's second appointment to the Sahn (see below, pp. 242–3). Neither date given by Baltacı is inherently improbable, though if Parmaksızoğlu's evidence for Kemalpaşazade's having been at the Halebî medrese in 918 is sound, his stay at the Üç Şerefeli medrese must, if Baltacı's information is also correct, have been very short.

[109] Müstakimzade, f. 7b.

[110] The *risale* is to be found in Feridun, i, 458–500, the reference to Kemalpaşazade as kadı of Edirne on pp. 467-8 (and Haydar Çelebi's identification of himself as the author on p. 477). Two references in the *risale* to Kemalpaşazade as the current Müfti (pp. 467–8, 480) are troubling in that Haydar Çelebi was executed almost certainly in 931/1525 —according to Celâlzade Mustafa (Celâlzade, *Tabakat*, ff. 129a–b (and Introduction, 4)), he was first imprisoned, then executed 'after a time' because of his supposed involvement in the Janissary revolt which broke out in Rajab 931/May 1525 (but Jumādā I–II 931/March 1525 in Danişmend, ii, 106–7)—whereas Kemalpaşazade almost certainly did not succeed

Kemalpaşazade's next appointment was to the Anadolu kazaskerlik; and information to be found in this *risale*, as well as in an anonymous and apparently undated *ruzname* of the Egyptian campaign of Selim I given in Feridun,[111] makes more precise, and adds to, the facts concerning his kazaskerlik which are given in the biographical sources. It is accepted by all the sources that Kemalpaşazade was present with Selim on the Egyptian campaign as Anadolu kazasker; and the *risale* shows that Kemalpaşazade was appointed to the kazaskerlik actually in the course of the campaign, on 14 Sha'bān 922/15 September 1516, during Selim's stay in Aleppo after the battle of Marj-i Dābiḳ.[112]

Both the *risale* and the *ruzname* also reveal that during the stay in Egypt Kemalpaşazade was removed from the kazaskerlik for a short period, although neither source gives any explanation for this beyond the fact that the sultan was angered with him. Half the facts of the case are to be found in each source: the *ruzname* states that on 18 Rabī' I 923/10 April 1517 'the Anadolu kazasker was dismissed', and the *risale* that on 5 Rabī' II 923/27 April 1517 'the Anadolu kazasker, Kemalpaşazade, with whom [the sultan] had been angered, was pardoned and the kazaskerlik bestowed on him again'.[113]

Barkan notes the existence of a *defter* pertaining to an extensive registration of population and land carried out in Karaman by order of Selim under the supervision of Kemalpaşazade in the year 924/1518.[114] It seems very likely that it was in his capacity as Anadolu kazasker that Kemalpaşazade was appointed *emin*, and it may possibly be that he was assigned to the task as the army passed through Anatolia on the return from Egypt. It also appears to have been on the return journey, rather earlier, during Selim's extended stay in Damascus (Ramaḍān 923 to Ṣafar 924/October 1517 to February 1518) that Kemalpaşazade gave a fetva praising Ibn al-'Arabī,

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to the Müftilik until 932/1525–6. The likeliest solution would appear to be that this particular version of the text of the *risale* was written after Haydar Çelebi's death, in the period of Kemalpaşazade's Müftilik (932 to 940/1525–6 to 1534).

[111] Feridun, i, 450–8.

[112] Ibid., 480. The *ruzname* does not mention this appointment, but the very short notice therein of Selim's nineteen-day stay in Aleppo is devoted entirely to the appointments made for the governing of Aleppo itself (ibid., 451).

Though Turan, in his introduction to vol. vii of Kemalpaşazade's history, follows Parmaksızoğlu in arguing that Kemalpaşazade's appointment must have occurred before 4 Jumādā I 922/5 June 1516, when Selim departed from Istanbul, he corrects the date in the light of Haydar Çelebi's *risale* in *İbn-i Kemal, Tevârih-i Âl-i Osman, I. defter*, Ankara, 1970, 1, n. 1.

[113] Feridun, i, 454, 489. Ménage ('Kemāl Pasha-zāde') suggests the possibility that his dismissal may have resulted from a protest [i.e. his having protested] at the execution of the last Mamlūk sultan, Ṭūmān Bāy, who had been caught on 30 March and was executed on 13 April 1517.

[114] Barkan, *Kanunlar*, 39. See also M. Tayyib Gökbilgin, 'XVI. Asırda Karaman Eyaleti ve Lârende (Karaman) Vakıf ve Müesseseleri', *Vakıflar Dergisi*, vii (1968), 29; and Turan's edition of the first volume of Kemalpaşazade's history (just cited), 1, n. 1.

this no doubt connected with Selim's rebuilding of the latter's tomb.[115]

The fact that Kemalpaşazade was removed from the kazaskerlik briefly during the sojourn in Egypt, which is not noted in the great majority of the biographical sources,[116] has important implications relative to whether he was removed or resigned from the kazaskerlik after the return from the Egyptian campaign. Taşköprüzade, Mecdî and el-Kefevî are agreed that he was removed from that office and appointed müderris at the Darülhadis in Edirne with a daily salary of 100 akçe, Mecdî adding that after the return to the capital from the Egyptian campaign (Rajab 924/July 1518), Kemalpaşazade was dismissed and investigated because of the slanderous words of backbiters. el-Kefevî is even more informative about the circumstances of his removal from office and subsequent return to favour, writing:

> Then when the low and base elements complained of the rapacity of [Kemalpaşazade's] companions, writing a letter in general and particular terms and sending it to the sultan, disclosing the circumstances, the sultan dismissed Kemalpaşazade, purposing for him ill-treatment and hostility. The vezir, Pîr Mehmed, counselled him and turned him from this idea and intent. Then [Selim] restored [Kemalpaşazade] to favour, apologizing because he was aware that [to give him] the Müftilik was impracticable. And he gave him the medrese of the Dār al-ḥadīth in the city of Edirne and appointed for him 100 dirhams (akçe) a day and splendid gifts in [each] year.[117]

The reference to the Müftilik is presumably to be taken as meaning that while Kemalpaşazade might have expected the Müftilik after having held the Anadolu kazaskerlik, it would have been impossible as a practical matter to remove an incumbent Müfti, perhaps particularly Ali Cemâlî, who had been

[115] See Parmaksızoğlu, 563b; A. Ateş, 'Ibn al-'Arabī' in *EI*², iii, 708b, and the sources cited therein.

Note may be made here of the very questionable account in Evliyâ Çelebi of this part of Kemalpaşazade's life. He writes: 'Because at the conquest of Egypt [Kemalpaşazade] was kazasker of Rumeli, Egypt, with a mevleviyet, was bestowed upon him; and he, together with the vali of Egypt, Khayre Bey, and [Jānbirdī] Ghazālī, was charged with making the registration (*tahrir*) of Egypt. ... Kemalpaşazade rose from the mevleviyet of Egypt to the office of Şeyhülislâm.' (Evliyâ Çelebi, i, 345.) There appears, however, to be no other evidence that Kemalpaşazade held the Rumeli kazaskerlik, that he held the mevleviyet (kadılık ?) of Egypt, or that he took part in making the *tahrir* of Egypt.

[116] Uzunçarşılı (*OT*, ii, 665) notes it briefly without, however, giving his source.

[117] *Katā'ib*, f. 389b. There are a fair number of variants in this passage in the available MSS., but the only one which causes difficulty is what has been translated as 'apologizing', where R has *muta'adhdhiran*, which is almost certainly a copyist's error for the *mu'tadhiran* in EE and MM, for which K and V read *mubtadiran*. The latter is perhaps just explicable as 'forestalling [him]' and thus preventing a possibly embarrassing request from Kemalpaşazade; but *mu'tadhiran* seems the most likely reading.

Pîrî (or Pîr) Mehmed Paşa (see Ş. Turan's article in *İA*, s.v.) had been left as *muhafız* of Istanbul during the Egyptian campaign but was summoned to Damascus on the return journey to take up the post of Grand Vezir, which he did on 13 Muḥarram 924/25 January 1518, serving until 13 Sha'bān 929/27 June 1523.

in the post for some fifteen years. Of the early authors only Mecdî offers a date for Kemalpaşazade's dismissal, saying in his biography of Molla Muḥyi 'l-Dīn Muḥammad Shāh b. 'Alī b. Yūsuf Bālī (Fenârîzade Mehmed Şah) that that scholar succeeded Kemalpaşazade as Anadolu kazasker in 925/1519, a date which has generally been accepted by the later sources.[118]

Despite the statements in the early sources that Kemalpaşazade was dismissed from the kazaskerlik, Parmaksızoğlu and Turan have both argued, on the basis of the great regard shown by Selim to Kemalpaşazade even in the period after his departure from the kazaskerlik, that it is more likely that the latter resigned.[119] It is difficult to accept this argument in view of what is generally known of Selim's sudden and often violent changes of mind and, in particular, in view of the fact that Kemalpaşazade had already been removed from the kazaskerlik during the stay in Egypt and then returned to it after a short period. This incident indicates not only that he was not inviolate but also that it was perfectly possible—as one would in any case suspect on general grounds—for a man to lose and then regain the sultan's favour. The fact that Selim was known to be well-disposed towards Kemalpaşazade even after the latter's departure from the kazaskerlik can thus in no wise be called positive, or even particularly suggestive evidence to support the conclusion that Kemalpaşazade could not have been removed from the kazaskerlik but must have resigned.

Again, the great majority of the sources, including Parmaksızoğlu and Turan, are agreed upon the course of Kemalpaşazade's career subsequent to his departure from the Anadolu kazaskerlik: that he became müderris at the Darülhadis in Edirne, with a daily salary of 100 akçe, then müderris for a second time at the Bayezid II medrese in Edirne, and, finally, Müfti on the death of Ali Cemâlî in 932/1525–6. The only author to give more specific information on any of these points is el-Kefevî, who states that Kemalpaşazade wrote a text and commentary—respectively the *Işlāḥ al-Wiḳāya* and the *Īḍāḥ al-Işlāḥ*—while at the Darülhadis early in the reign of Süleyman (began

[118] Mecdî, 387. For Fenârîzade Mehmed Şah, see Taş, i, 601–3; Mecdî, 386–7. See also Atâ'î, 130; Rifat Efendi, 17; *İS*, 346; Parmaksızoğlu and Turan; and Baltacı, *O. Med.*, 166.

[119] There are numerous stories indicating a close relationship between Selim and Kemalpaşazade during the course of the Egyptian campaign: see, for example, Âşık Çelebi, ff. 37b–38b; Sa'deddin, ii, 614–15; *İS*, 346. On the matter of Selim's friendship for Kemalpaşazade after his departure from the kazaskerlik, Parmaksızoğlu's and Turan's use of one source, namely a passage from Kemalpaşazade's history, in MS., which Mehmed Arif has published under the title 'Edirne şehrine dair Sultan Selim Han-i evvel ile İbn Kemal'in bir musahabesi' (*TOEM*, part 22, Istanbul, 1331, pp. 1411 et sqq.), appears to need correcting. The story concerns Selim's composing a *bayt* in honour of Edirne, to which Kemalpaşazade responded with a *ghazal*; and both Parmaksızoğlu and Turan state that this conversation occurred on Selim's last journey to Edirne, in the course of which he died. While the conversation is indeed included by Kemalpaşazade in his discussion of Selim's last journey, it is clear that it actually took place some years before, on the Egyptian campaign while Kemalpaşazade was still kazasker, when Selim was moved by his lengthy stay on the campaign to recall the beauties of Edirne.

17 Shawwāl 926/30 September 1520) and then quotes a passage from the preface of the work in which Kemalpaşazade states that he began it in 928 and finished it on the last day of Shawwāl of that same year (21 September 1522).[120] Assuming that el-Kefevî is correct in his assertion that Kemalpaşazade was still at the Darülhadis when he completed the work, one can thus date his time at that medrese from 925/1519 to at least Shawwāl 928/September 1522.

Kemalpaşazade held the Müftilik from the death of Ali Cemâlî in 932/1525–6 until his own death on 2 Shawwāl 940/16 April 1534. The early biographers give no details concerning his activities as Müfti, but there are references in other sources to three incidents in which he was involved in the capacity of Müfti which throw some light on the functions of that office. Two of these incidents are concerned with the rooting out of heresy, the first being the trial of Molla Ḳābiḍ (Kabız).[121]

Apparently in origin a Persian, though at least partly educated in the Ottoman domains, Kabız seems to have followed the orthodox line at the beginning of his career, soon, however, falling into evil ways. He wandered about the wineshops preaching a number of questionable doctrines, the one of which that seems most to have outraged the orthodox being his claim that Jesus was superior to Muhammad. He was observed by certain of the ulema thus to be leading the people astray and was haled by them before the imperial divan on 8 Şafar 934/3 November 1527.[122] The then Grand Vezir, İbrahim Paşa, turned the problem over to the Rumeli kazasker, Fenârîzade Muhyiddin Çelebi, and the Anadolu kazasker, Molla Kadirî Çelebi, both later to become Müfti (see below), who were, however, according to Celâlzade Mustafa, too puffed up with the love of high rank and too ill-informed in the problems of the şeriat to answer Kabız's arguments satisfactorily; and while Kabız quoted chapter and verse from the Koran and *ḥadīth*, the two kazaskers simply lost their tempers, and, in Peçevî's phrase, 'could find nothing to say save *ḥakamtu bi-ḳatlihi* ["I sentence him to death"]'. Despite İbrahim Paşa's repeated reproaches that this was a matter which demanded a reasoned answer in terms of the şeriat and which was not

[120] *Katā'ib*, f. 390a. Cf. Kâtib Çelebi, *KZ*, i, 109. See also below, n. 269.

[121] Although Kabız was executed well within the lifetime of Taşköprüzade, there seems to be no biography of him in the *Shaḳā'iḳ*. Atâ'î does include a biography of him (pp. 88–9) which gives the few known details of his life and the essential features of his trial. A very full (and also the earliest) account of the trial, and that which forms the basis of what follows, is given by Celâlzade Mustafa (Celâlzade, *Tabakat*, ff. 172b–175b), who was reisülküttab at the time of the incident (ibid., Introduction, 4): see also Peçevî, i, 124–6, and Solakzade, 467–9. Parmaksızoğlu (p. 564a–b) gives useful references to MSS. of several *risales* written by Kemalpaşazade on the Kabız affair. See also Adnan-Adıvar, 98–9; Danismend, ii, 125–6; and Hüseyin G. Yurdaydın, 'Ḳābiḍ' in *EI*².

[122] Celâlzade Mustafa gives this date for the first appearance of Kabız in the divan. Peçevî's account begins with the date 8 Şafar, which he almost certainly means to apply to the second day of the examination, when Kabız was confounded and then executed, a dating which Danişmend has adopted (ii, 125–6).

to be met simply by outrage and decided in terms of *'urf* (*örf*)—roughly, therefore, that it was a matter for the religious rather than the secular law—the kazaskers proved incapable of answering Kabız in these terms, and he was allowed to go free from the divan.[123]

Süleyman, who had been listening to this examination from behind the grill, reproached the vezirs with the fact that a heretic had come to the divan, had denigrated the Prophet, and had gone away unscathed. When İbrahim Paşa replied that they had had no recourse but to discharge Kabız, the kazaskers having proved incapable of silencing him by argument based on the şeriat, Süleyman answered that the kazaskers were not the only scholars versed in the religious sciences and ordered that the Müfti, Kemalpaşazade, and the kadı of Istanbul, Sa'dî Çelebi (who was to succeed Kemalpaşazade as Müfti), be present the next day to see to the business. Kabız was taken into custody and the next day examined again in the divan in the presence of Kemalpaşazade and Sa'dî Çelebi.[124] The examination seems to have been carried out mainly by the former, who invited Kabız to put forward his case and then, having listened attentively, proceeded to demolish it, utterly confounding Kabız. Kemalpaşazade thereupon invited Kabız to eschew his vain beliefs. When he refused to do so, Kemalpaşazade said to Sa'dî Çelebi:

[123] Celâlzade Mustafa is quite explicit in his personal criticism of the two kazaskers, writing (f. 173a):

> One of them [Muhyiddin Çelebi] was a man of uncertain temper (*divane-meşreb*) and had attained the kazaskerlik by reason of his family's distinction [*haseb u neseb*, which, in context, appears not to have its usual additional sense of 'personal merits']. There was in the other [Kadirî Çelebi] ability of a sort, but he had got ahead by reason of his links with certain well-placed men and was not truly adorned with the ornament of piety nor distinguished nor decorated with the adornment of devoutness. The benefits of his talent for amassing dinars and dirhems were devoted to the decking out of his retinues.

For a further characterization of Muhyiddin Çelebi, see the following note. See also below, pp. 269–71.

[124] Celâlzade Mustafa (f. 175a) has an interesting passage on the conduct of this meeting of the divan which touches both on the question of protocol and on Muhyiddin Çelebi's character. He writes that after Kemalpaşazade came to the divan,

> the Rumeli kazasker [Muhyiddin Çelebi] rose and fled the divan as if to avoid the Müfti's taking precedence over him. The real cause of his absenting himself was that a learned assembly was now to occur in which it would be necessary for him to speak; and he was anxious to guard against being shown in his true colours. Those who did not know [him] attributed it to his great zeal in the path of learning. In truth he was a common man, whose connection with *ilm* lay solely in his name. In the illustrious divan, his excellency the Müfti sat at the left hand of the Grand Vezir [the Rumeli kazasker's usual seat], the kadı [Sa'dî Çelebi] in front of [almost certainly 'facing'] them.

Atâ'î (p. 89) either overlooks or ignores the account of Muhyiddin Çelebi's absenting himself, saying that Kemalpaşazade was seated between the Grand Vezir and the Rumeli kazasker, with Sa'dî Çelebi placed on a seat opposite them. He also writes that Kemalpaşazade's asking the kadı of Istanbul to give the judgment was a deliberate move to humiliate the kazaskers.

'The Müfti's job is finished. Do you give judgment according to what is necessary in the light of the şeriat.' Sa'dî Çelebi invited Kabız once more to return to the orthodox path; and when he again refused, Sa'dî Çelebi sentenced him to death, a sentence which was carried out after the divan.

The second examination for heresy in which Kemalpaşazade was involved during his Müftilik was that of Shaykh Ismā'īl Ma'shūḳī, known as Oğlan Şeyh, who was executed in 935/1529 on the strength of a fetva given by Kemalpaşazade.[125] Oğlan Şeyh was born in 914/1508–9, the son of Aksaraylı Pīr 'Alī Efendi, a şeyh of the Bayrāmī order. About 934/1527–8 he came to Istanbul, and for the following year, both in Istanbul and Edirne, he preached in a number of mosques such as the Bayezid and Ayasofya mosques, proselytizing the doctrine of *waḥdat al-wujūd*. He won a large number of adherents, particularly, according to Atâ'î, among the soldiery.

Undoubtedly simply the enormous popularity which Oğlan Şeyh seems to have enjoyed was sufficient to cause the authorities to view his activities with suspicion. According to Melāmī tradition, however, what hastened his downfall was his causing his disciples to say in the *dhikr* (*zikir*) not *Allah Allah*, but *Allahım Allahım*—which, depending on the stress, may mean either 'My God, my God' or 'I am God, I am God'—an idiosyncrasy which the orthodox could not fail to find offensive. In any case, he was examined and sentenced to death on the basis of a fetva given by Kemalpaşazade; and he and twelve disciples were beheaded in the At Meydanı in late 935/1529.

While it appears from this account and from other evidence to be presented shortly that Kemalpaşazade was the one mainly responsible for bringing about Oğlan Şeyh's execution, a document written some years later by Ebüssu'ûd Efendi, the *Şeyh Gazanfer'e dair cevapname*, suggests that Kemalpaşazade was not the only one involved in the examination of Oğlan

[125] Again, though Oğlan Şeyh was executed well before Taşköprüzade's own death, there is no article on him in the *Shaḳā'iḳ*. Atâ'î (p. 89) has a useful biography on him which is one of the sources for the well-informed discussion of his life in Abdülbakî, 48–54, this last being the basic source for what follows in the text.

For a very full account of Oğlan Şeyh's beliefs, apparently drawn from a court record (*sijill*/*sicil*), see Akdağ, *Tarih*, ii, 48–9. The existence of a formal record suggests that there was more to the examination of Oğlan Şeyh than the biographical sources indicate, but the record, according to Akdağ's account of it, appears not to go beyond listing Oğlan Şeyh's offences and makes no reference to his fate. Quite how Kemalpaşazade (and Molla Şeyhî and Ebüssu'ûd Efendi: see just below) came to be involved is thus not clear (cf. the case of Molla Lûtfi above, pp. 182 et sqq., especially n. 162). Akdağ makes no reference to the biographical sources, and the date which he gives for the incident—'the beginning of 1539 [late 945], about eleven years after [the Kabız incident]'—is at variance with the date given by Atâ'î (935/1529) and with Atâ'î's statement that Kemalpaşazade (d. 940/1534) gave the fetva ordering his death, which fact seems to be confirmed beyond doubt by the quotation from Ebüssu'ûd Efendi cited in Abdülbakî, 72 (see below, n. 129). Allowing for the possibility that 1539 has mistakenly been substituted for 1529 at some point in the preparation of Akdağ's book, I have preferred the apparently consistent evidence in favour of 935/1529 (see also below, p. 249); but if the *sicil* entry can be conclusively dated to 945/1539, the evidence would, of course, have to be re-examined.

Şeyh. Şeyh Gazanfer (d. early 974/mid-1566), having been brought to Istanbul, examined and set free, Ebüssu'ûd Efendi was asked by the Grand Vezir to review the case. He gave a reasoned answer, reproduced by Atâ'î, in which he concludes, essentially, that the several examinations had not been sufficiently thorough and that the evidence did not warrant his execution: he recommended that Şeyh Gazanfer be admonished to look after his own affairs, to work as a labourer and to cease instructing others. During the course of his answer, Ebüssu'ûd Efendi notes that Şeyh Gazanfer is accused of being a successor of Oğlan Şeyh, which fact, if true, might make him liable to execution, and goes on to say about the trial of Oğlan Şeyh: 'In the matter of his execution I hesitated and deliberated beyond the customary limit. After the late Molla Şeyhî Çelebi had given judgment on his unbelief, I delayed for two or three further meetings; and [my] judgment was not [given] until no possibility of ambiguity remained and as long as there was any chance [of his innocence].'[126]

It is thus apparent that both Molla Şeyhî Çelebi and Ebüssu'ûd Efendi were also involved in the examination of Oğlan Şeyh, both eventually giving decisions declaring him guilty of *ilḥād* (*ilhad*). While it is certain that Ebüssu'ûd Efendi was at the time of the trial a müderris at the Sahn (and possibly also kadı of Eyüp?: see below, p. 277), the position of Şeyhî Çelebi is more difficult to ascertain: he spent his whole life as a müderris in a series of medreses, the last of which was the Sahn where he died in 951/1544–5. Unfortunately it has proved impossible to date any of his medrese appointments, so that the most that can be said from the evidence in his biography is that it is not impossible that he too was a müderris at the Sahn at the time of the examination.

It is also clear from Ebüssu'ûd Efendi's statement that the decision was a difficult one to come to, at least for him; and it seems to be the case that a considerable public outcry followed Oğlan Şeyh's execution. Atâ'î writes that the people were split into two groups over his execution, the one holding that he had been a *zındīḳ* (*zındık*) and rightly killed, the other that he had been a saint and wrongly killed.[127] Something of the tension created by this incident is reflected in a fetva sought from Ebüssu'ûd Efendi, presumably while he was Müfti:

[126] Atâ'î, 88. The last part of the quotation reads: *asla tevcihe mecal kalmayıp ihtimal munkatı olmayınca hüküm olmamıştır*. In connection with the use of *hüküm* (and of *hükmetmek* with respect to Molla Şeyhî Çelebi's decision), cf. above, Chapter IV, n. 162.

There is very little information to help one to date the examination of Şeyh Gazanfer: the death date of Molla Şeyhî Çelebi (d. 951/1544–5: Taş, ii, 104–5; Mecdî, 489–90)—referred to as 'the late'—and of Şeyh Gazanfer himself (974/1566: Atâ'î, 87), for example, establish only broad limits. The former date, the *terminus post quem*, can be slightly refined by the fact that Ebüssu'ûd Efendi was Müfti at the time, a post to which he succeeded in 952/1545. For Şeyh Gazanfer, see also Abdülbakî, 67–8.

[127] Atâ'î, 89.

Question: What ought to be done to Zeyd, who says: 'The person whom they call Oğlan Şeyh, who was executed some time ago, was wrongfully killed?'
Answer: If [Zeyd] is of [Oğlan Şeyh's] persuasion, he should be killed.[128]

Despite the fact that it seems to have been an unpopular decision, however, Ebüssu'ûd Efendi used Kemalpaşazade's fetva on Oğlan Şeyh as a precedent for his own fetva justifying the execution of Bosnalı Şeyh Hamza Bâlî in 969/1561–2.[129]

As a further example of Kemalpaşazade's activity against heretics, Parmaksızoğlu, followed by Turan, writes that he advocated the campaign which Süleyman was to undertake against the Safavids just before Kemalpaşazade's death and that the latter personally wrote the letters which were sent by Süleyman to Şah Tahmasp in this regard. The only evidence which he gives for this statement is a text relating to Şah Tahmasp in one manuscript, the text being ascribed to Kemalpaşazade. Examination of the text, however, reveals it to be, with only minor variations, the same as the text of the famous *tehditname* sent to Şah Tahmasp, which is given in Feridun and is there attributed to the nişancı Celâlîzade, that is, almost certainly, Celâlzade Mustafa Çelebi.[130] At the least, the fact that Feridun Bey has identified the author as Celâlzade Mustafa calls in question the manuscript attribution to Kemalpaşazade; and it can thus by no means be called certain that the latter played the part in Süleyman's relations with Şah Tahmasp assigned to him by Parmaksızoğlu and Turan.

The third incident in which Kemalpaşazade was involved as Müfti is of a ceremonial nature, and has already been alluded to (see Chapter III, n. 148), namely the circumcision feast for Süleyman's sons, Mustafa, Mehmed and Selim, which began on 21 Shawwāl 936/18 June 1530 and continued for nearly three weeks. On the sixteenth day of the feast, a banquet was arranged

[128] The fetva is given in Abdülbakî, 50, n. 2, and Düzdağ, no. 978. Düzdağ identifies the *wā'iẓ* (*vaiz*) who is the subject of a lengthy fetva concerning *raḳṣ ve dawarān* (*raks ve devran*) (no. 349) as Oğlan Şeyh. The apparent immediacy of the problem suggests that if the subject is Oğlan Şeyh, Ebüssu'ûd Efendi may have given the fetva some years before he became Müfti.

See also *Mühimme Defterleri*, iii, no. 879, where, in an entry dated 25 Jumādā II 967/24 March 1560, an order is sent to the kadı of Üsküdar that a disciple of Oğlan Şeyh's father (Pir Ali: see Abdülbakî, 43–7), who has been leading the people of that area astray, should be seized with his followers and sent in chains to the capital.

[129] Abdülbakî, 72. See further ibid., 72–7; Atâ'î, 70–1, 283; İnalcık, *Empire*, 192–3.

[130] See Süleymaniye–Esad Efendi 3431, ff. 128a–b (the title is *Inshā' Kemāl Pasha-zāde bi-emr Sulṭān Sulaymān Khān 'alayhi al-raḥma wa 'l-riḍwān*); and cf. Feridun, i, 541–3. The MS. text attributed to Kemalpaşazade goes only as far as Feridun, i, 542, line 32. Since the *tehditname* appears to have been sent to Şah Tahmasp shortly after his accession in Rajab 930/May 1524 (see Danişmend, ii, 122), while Celâlzade Mustafa did not become nişancı until 941/1534 (V. L. Ménage, 'Djalālzāde Muṣṭafā Čelebi' in *EI²*), the title is presumably one of identification added by Feridun Bey.

for the ulema at which, as has been noted previously, Kemalpaşazade was seated on the sultan's immediate right, the seat of honour, the sultan's Hoca being seated on the sultan's left. Kemalpaşazade also opened the discussion which followed, on the *tafsīr* of the first *sūra* of the Koran. Peçevî writes that Kemalpaşazade was present as Müfti at the festivities connected with the wedding of the Grand Vezir İbrahim Paşa, which began on 18 Rajab 930/22 May 1524; but as Kemalpaşazade did not succeed to the Müftilik until 932/1525–6, this would seem to be an anachronism.[131]

Kemalpaşazade died on 2 Shawwāl 940/16 April 1534. Taşköprüzade merely gives the year, but the more specific date is mentioned by Mecdî, who gives no fewer than eight chronograms, one of which Kemalpaşazade is supposed to have spoken when he was on the point of death. Âşık Çelebi has confused the issue by giving 2 Shawwāl 941, but, as Âli points out, the three chronograms which he gives all work out to 940: it must be assumed that Âşık Çelebi is mistaken and that Mecdî's date is correct. Parmaksızoğlu writes that the prayers for him were performed in the Fatih mosque;[132] and Âşık Çelebi is the first to mention that he was buried in the *zaviye* of Mahmud Çelebi, outside Edirne kapısı.[133]

[131] See above, p. 194, especially n. 189. An event towards the very end of Kemalpaşazade's life, at which he might have been expected to be present but was not (through ill-health ?), was the circumcision feast for Şehzade Bayezid, which began on 15 Rajab 946/26 November 1539 and which is described in great detail in Celâlzade, *Tabakat*, ff. 337a–340b, in very summary form in Peçevî, i, 218–19. On Friday 24 Rajab/4 December, a learned discussion was held, presumably along the lines of that at the earlier circumcision feast, at which the seating was: on the sultan's right, the Hoca, the Rumeli kazasker and the kadıs of Istanbul and Edirne; on his left, the Anadolu kazasker and 'Müftizade Molla Çelebi', together with certain ulema retired on pension; and facing him, the Sahn (and other) müderrises (f. 340a). For Müftizade Molla Çelebi, Ali Cemâlî's son (d. 957/1550: Muḥyi 'l-Dīn Muḥammad Çelebi b. 'Alā' al-Dīn 'Alī al-Jamālī), see Taş, i, 606–8; Mecdî, 389–90 (a notably fuller account than that in Taş); and Atâ'î, 249. He seems likely at this point to have been either at the Sahn with 80 akçe (having twice been kadı of Edirne) or in retirement with a pension of 100 akçe, but neither his exact status nor the reason for his being singled out in this way can be determined on present evidence.

On the question of the position of the Hoca *vis-à-vis* the Grand Vezir, one might note that on one occasion during the thirteen-day celebration, the Hoca takes precedence over all, including the Grand Vezir, in kissing the sultan's hand (f. 338b), but that on another the vezirs sat at the sultan's right hand, the Hoca at his left (f. 339b).

[132] Though I have not found this statement in any of the early sources, a *vasiyetname* of Kemalpaşazade's (Köprülü–Mehmed Paşa 1599, ff. 140a–b) gives some support to it. The document is largely concerned with arrangements for the preparation of his corpse, his funeral and his burial; at the end he bequeaths the sum of 5,000 akçe to be used for sending someone on the pilgrimage. Concerning his funeral, he says: 'Let them not cause the call [to the funeral: *salâ*] to be made at every mosque; it suffices that it should be made at the Sultan Mehmed mosque.'

[133] Âşık Çelebi, f. 39a. Âli (f. 141b) adds that Mahmud Çelebi was a Naḳshibendī şeyh, and Müstakimzade (f. 7b) that he was the son-in-law of Shaykh Sayyid Aḥmad al-Bukhārī.

See Barkan, 'Saraylar', 36, for a record that a 'Mustafa Çelebi bin Kemal-Paşa-zâde' (of whom there appears to be no notice in the biographical sources) was receiving an

Sa'dî Çelebi

The successor to Kemalpaşazade as Müfti was Molla Sa'd Allāh b. 'Īsā b. Amīr Khān, known as Sa'dî Çelebi or Sa'dî Efendi. Though an early document refers, apparently to him, as Sa'dî Çelebi Samsûnî, the consensus of the biographical sources is that he was a native of the vilâyet of Kastamonu. Mecdî and one manuscript of the *Katā'ib* are more specific, though at odds with one another, the former saying that he was born in the town of Daday (to the northwest of Kastamonu), the latter that he was from the *nāhiyya* (*nahiye*) of Ayāndūn (Ayandon: a village near Sinop).[134] While Sa'dî Çelebi was still young, his father, İsa Çelebi, moved to Istanbul, taking Sa'dî Çelebi with him. It is agreed that İsa Çelebi became the imam at a mosque in Istanbul, but once again Mecdî and el-Kefevî (in this case, all manuscripts) disagree over the identification of the mosque, Mecdî writing that it was that of Murad Paşa (completed in 876/1471–2), el-Kefevî that it was the mosque of the (Grand) Vezir Mahmud Paşa (completed in 867/1462–3).[135] On present evidence it seems impossible to choose between the two assertions.

Sa'dî Çelebi studied first under his father who, according to el-Kefevî, was knowledgeable in the *mukhtaṣarāt* and who taught him 'the books of grammar and syntax'. He then passed on to study under 'the ulema of his time'. The majority of sources specify only one of these, Molla Muḥyi 'l-Dīn Muḥammad b. Ḥasan al-Samīsūnī (d. 919/1513–14),[136] through whom Sa'dî Çelebi is said to have attained the status of a *mülâzım*: the association must therefore have occurred at the end of his student career. Sa'dî Çelebi himself gives more information on his teachers in the text of an *icazetname*, in Arabic, which he wrote for one Molla Najm al-Dīn b. Muḥammad (Molla Necmî), in which he names three scholars from whom he had himself received *icazet*s: Ibn Yaḥyā Zakariyyā' al-Anṣārī al-Shāfi'ī (who appears to have sent an *icazet* to him from Egypt); Yūsuf b. al-Ḥasan al-Ḥusaynī; and Muḥammad b. Ibrāhīm al-Samadīnī (?).[137] There appears to be no evidence

allowance of 7 akçe a day from the privy purse throughout the year 963/1555–6.

[134] The document referred to is TS/5781. The principal biographical sources are Taş, ii, 43–5; Mecdî, 443–5; Âşık Çelebi, ff. 157a–158a; *Katā'ib*, ff. 399b–400b (where el-Kefevî includes three of Sa'dî Çelebi's fetvas); and Müstakimzade, ff. 7b–8a. MS. R of the *Katā'ib* contains the mention of Ayandon, which is omitted in MSS. E and V. For a *vakıf* established by Sa'dî Çelebi in 941/1535, see Barkan/Ayverdi, doc. 1139.

[135] Mecdî, 443; *Katā'ib*, f. 399b. Mecdî, not unexpectedly, is followed by Rifat Efendi, 18; *İS*, 355; and *SO*, iii, 25.

[136] Taş, i, 439–40; Mecdî, 312–13.

[137] Atâ'î, 140–1. The second of the scholars is almost certainly Kadı-i Bağdad (d. 922/1516: Taş, i, 469–70; Mecdî, 326–7; Kâtib Çelebi, *KZ*, i, 351; *HA*, ii, 563). The third is possibly the author of several works mentioned in *KZ* (ii, 1235, 1623 (the former finished in 921/1515)), where the *nisba* is given as Samīdīsī (Samadīsī in *HA*, ii, 217): the form in *HA*, probably referring to Samadīsa, a village in the Buḥayra of Egypt, is perhaps to be preferred to the forms in Atâ'î and *KZ*, for which I have been unable to find likely roots.

to support Müstakimzade's claim that he studied under Kemalpaşazade; and if Müstakimzade's further statement *ve emanet-i fetvalarıyle dahi şerefyab-i izzet olup* is to be taken as meaning that Sa'dî Çelebi became Kemalpaşazade's *fetva emini*, it is unlikely in the extreme that such can have been the case since Sa'dî Çelebi had already been kadı of Istanbul for several years before Kemalpaşazade became Müfti.

The medreses at which Sa'dî Çelebi taught are given in rather more detail in both Mecdî and the *Katā'ib* than in Taşköprüzade. According to the first two, Sa'dî Çelebi taught at the Başcı İbrahim Paşa (*Ibrāhīm al-ra'īs* in the *Katā'ib*) medrese in Istanbul; the Taşlık (*al-ḥajariyya* in the *Katā'ib*) medrese in Edirne; the Mahmud Paşa medrese in Istanbul; the Sultan medrese in Bursa; and, finally, one of the Sahn. Though these sources give no further details about the appointments, TS/D5781, tentatively dated in 921–2/1515–16, shows him then to have been at the Ali Bey (Taşlık) medrese with a daily salary of 30 akçe. A reference to him in Atâ'î's biography of Molla Hâmid places him at the Mahmud Paşa medrese between 922 and 925; the same author states in his biography of Ebüssu'ûd Efendi that the latter replaced Sa'dî Çelebi at that medrese in 928/1521–2; and Baltacı writes that Sa'dî Çelebi was in that same year appointed to the Ayakkurşunlu medrese on the 'Mediterranean' (Marmara) side of the Sahn:[138] the last two statements allow for only a very short stay at the Sultan medrese, and one or other may possibly on that account be incorrect.

The majority of the biographical sources are agreed that Sa'dî Çelebi was next appointed kadı of Istanbul, and, more, that his appointment formed part of a general reassignment of the higher learned offices—a general post, as it were—whereby two of his eventual successors as Müfti, Kadirî Çelebi and Fenârîzade Muhyiddin Çelebi, were also promoted, the former from the kadılık of Istanbul to the Anadolu kazaskerlik, the latter from the Anadolu kazaskerlik to that of Rumeli. There is disagreement among the various sources for the lives of these three scholars about when this change of offices took place, but the consensus of the sources generally considered the most reliable is that it occurred in 929/1523.[139]

The documents contained in the Istanbul *tahrir defteri* published by

[138] Atâ'î, 243, 184; Baltacı, *O. Med.*, 167.

[139] For the succession of the holders of the three offices, see, for example, the lists in Atâ'î, 103 (which must be used with care, as they are sometimes misleading and inaccurate), and Kâtib Çelebi, *Takvim*, 187 et sqq., 195 et sqq., 208 et sqq. The latter seems to be at odds with himself on the question of dates, dating two of the apparently interdependent promotions in 929 (pp. 187, 196) and one in 930 (pp. 208–9). See also Mecdî, 442, and Atâ'î, 243, for the appointment of Kadirî Çelebi to the Anadolu kazaskerlik in 929. İsmail Beliğ having suffered a fair amount of criticism in the foregoing pages for inaccuracy, it seems right to note here that his quite exact dates for Kadirî Çelebi's appointments to the kadılık of Istanbul and the Anadolu kazaskerlik, namely Rabī' I 929 and Şafar 930 respectively, are shown by the documentary evidence to be very likely to be correct. Likewise Rifat Efendi (p. 18) and *İS* (p. 355) appear to get right both the date of Sa'dî Çelebi's appointment and the length of his tenure as kadı of Istanbul.

Barkan and Ayverdi indicate that Sa'dî Çelebi did indeed succeed Kadirî Çelebi as kadı of Istanbul and appear to be decisive on the question of the dates of his tenure of the office, showing his appointment to have occurred almost certainly not in 929 but in early 930. The last of a run of four documents signed by Kadirî Çelebi, probably as kadı of Istanbul, is dated early Muḥarram 930/mid-November 1523, while the first of a series of well over 200 documents signed by Sa'dî Çelebi is dated early Rabīʿ I 930/mid-January 1524:[140] it therefore seems safe to conclude that his appointment fell between those two dates. The end of his tenure of the office would likewise appear to be fairly closely defined by the fact that the last three of the documents signed by him are dated late Ṣafar 940/mid-September 1533, while a continuous run by his successor, Ebüssu'ûd Efendi, begins in mid-Rabīʿ II of the same year (early November 1533). The documents would thus appear to support Atâ'î's statement that Ebüssu'ûd Efendi succeeded Sa'dî Çelebi as kadı of Istanbul in Rabīʿ II 940.[141] Of general interest in connection with the workings of the learned profession is the fact, reported in Mecdî's *tezyil*, that, while kadı, Sa'dî Çelebi used on the customary days to teach and hold discussions with certain able *danişmend*s while still on the prayer rug after morning prayer.

Apart from el-Kefevî, who interposes an appointment to the Sultan medrese in Bursa, most of the biographical sources relate that Sa'dî Çelebi, having been removed from the kadılık, returned to the Sahn with a daily salary of 100 akçe. According to Baltacı, his appointment to the Sahn—more specifically, to the Ayakkurşunlu medrese on the Black Sea side—occurred in 938/1531.[142] How this is to be reconciled with the evidence of the documents in the *tahrir defteri* that his kadılık continued until 940 is not

[140] The documents in Barkan/Ayverdi which seem likely to be signed by Kadirî Çelebi are docs. 933 and 1279 (dated early and late Jumādā I 929 (April 1523) respectively and signed, effectively, Abdülkadir: cf. his signature, as Müfti, on the facsimile fetvas in *İS*, 365–6); 1639 (dated early Muḥarram 930/mid-November 1523 and signed Abdülkadir b. Ahmed: his father's name is reckoned to have been Mehmed, however, as in the following signature, and below, p. 257); and 1401 (dated as the preceding and signed Kadrî b. Mehmed). For Sa'dî Çelebi's documents, see the entries in Barkan/Ayverdi, Index, A. II., under 'Sa'dî b. Îsâ (Mevlânâ)'; 'Sa'dî Çelebi (Mevlânâ)'; 'Sa'dî Efendi'; 'Sa'dî Efendi (Mevlânâ)'; and 'Sa'dî (Mevlânâ)'. The earliest document is doc. 2231, closely followed by docs. 536, 1595, 1667, 1938, etc.

[141] Atâ'î, 184. The last of Sa'dî Çelebi's documents are docs. 1102, 1318, and 1463 in Barkan/Ayverdi, while the earliest of Ebüssu'ûd Efendi's in this series are docs. 1565, 977, and 2261. There are documents of earlier dates signed by Ebüssu'ûd Efendi, certainly some in a capacity other than as kadı of Istanbul (see below, pp. 276–7), but only doc. 2477, dated early Ṣafar 940, appears inconsistent with the conclusion in the text. The date of the last of Sa'dî Çelebi's documents, however, is a reasonably firm *terminus post quem* for Ebüssu'ûd Efendi's becoming kadı, so that one would need to seek some other explanation for this isolated signature than that Ebüssu'ûd Efendi was then kadı of Istanbul.

[142] Baltacı, *O. Med.*, 167.

clear, particularly in the absence of a description or a critical appraisal of the source on which Baltacı's statement depends.

Sa'dî Çelebi was next elevated to the Müftilik, being informed of his appointment to succeed Kemalpaşazade on the morning after the latter's death, that is, on 3 Shawwāl 940/17 April 1534. Âşık Çelebi relates a story (an abridged version is to be found in Mecdî's *tezyil*) which he says Sa'dî Çelebi himself used to tell about his appointment as Müfti. At the time of the death of Kemalpaşazade, the Grand Vezir İbrahim Paşa, to whom Sa'dî Çelebi was closely attached, had departed for the Irakeyn campaign (2 Rabī' II 940/21 October 1533) on which Süleyman was soon to follow (29 Dhu 'l-Ḳa'da 940/11 June 1534). Sa'dî Çelebi, knowing that Ayâs Paşa (second vezir and *kaymakam*)[143] intended conferring the office of Müfti upon a retired kazasker, 'Abd al-Wāsi' b. Khayr al-Dīn Khiḍr (Abdülvasi Çelebi/Efendi),[144] was in despair, wondering to which of the men of state to turn to plead his case. That night in a dream a venerable old man appeared and addressed to him the following *bayt*:

> Trust in the King, the Cause of all causes
> Sustenance, when it comes to you, will knock on the door.

The next morning a *çavuş* came, knocked on the door and informed him that he had been appointed Müfti.

This story is of some interest in that it constitutes the only contemporary information that has come to light concerning the method of the appointment of the Müfti during the period under consideration. Citing an example from a rather later period, İnalcık defines the principles involved in the selection of the Müfti as follows: 'For the appointment of a new şeyhülislâm the grand vizier petitioned the sultan, who did not however have to accept the nomination. Thus in 1598 [1006], despite the grand vizier Yemişçi Hasan's strong pressure to appoint his own candidate, the sultan brought his tutor to the post.'[145] The story from Sa'dî Çelebi's own lips concerning his

[143] See M. Cavid Baysun, 'Ayâs Paşa' in *İA*; V. J. Parry, 'Ayās Pasha' in *EI*².

[144] Taş, i, 620–3; Mecdî, 394–5; Sehî, 29. Mecdî's account of his Rumeli kazaskerlik (p. 394), at least, conflicts with the information he gives in the biographies of Mîrim Çelebi (pp. 338–9) and Fenârîzade Mehmed Şah (pp. 386–7); and it seems that Atâ'î (p. 103) is correct in writing that he was appointed to the Anadolu kazaskerlik in 927/1521 and to the Rumeli kazaskerlik in 929/1523. The date of his dismissal given by both Mecdî and Atâ'î, namely 929, probably needs to be corrected to early 930, as he was almost certainly succeeded by Fenârîzade Muhyiddin Çelebi (see above). The *vakfiye* of Süleyman's mother (İ. H. Konyalı, 'Kanunî Sultan Süleyman'ın Annesi Hafsa Sultan'ın Vakfiyyesi ...', *Vakıflar Dergisi*, viii (1969), 47–56) shows Abdülvasi to have been Rumeli kazasker in mid-Sha'bān 929/late June 1523. Later, divesting himself of all his worldly possessions, he withdrew to Mecca and devoted himself to pious acts until he died about 945/1538–9. According to Atâ'î (p. 123), he left for the Hijaz after the death of Kemalpaşazade in 940, upset that the Müftilik had been given to Sa'dî Çelebi, who was junior to him in the hierarchy.

[145] İnalcık, *Empire*, 96. See also the story in Atâ'î, 261, that in 985/1577 the Grand Vezir Sokullu Mehmed Paşa persuaded Murad III to forgo his own inclination towards

appointment as Müfti appears to confirm that the practice as in 1598 obtained also in 1534.

Sa'dî Çelebi remained in the office of Müfti until his death on 2 Shawwāl 945/21 February 1539, exactly five years, according to the *hijrī* reckoning, after the death of Kemalpaşazade. Taşköprüzade merely gives the year of his death, Âşık Çelebi and Mecdî, who both give several chronograms, specifying the day and month. According to Müstakimzade, Sa'dî Çelebi was buried in the *ḥaram* of the *türbe* of Eyüp.

Çivizade

Following Sa'dî Çelebi in the Müftilik was Molla Muḥyi 'l-Dīn Shaykh Muḥammad b. Ilyās, known as Çivizade.[146] Tamîmîzade writes that Çivizade's family was from Milas in the region of Menteşe, and el-Kefevî that Çivizade's father, Molla Çivi (İlyâs), was a respected müderris who was particularly noted for the fact that he copied with his own hand a great number of the commonly used books. el-Kefevî says further that he made a *vakıf* of these to his sons and that a great many of them were, in el-Kefevî's time, in the possession of Çivi İlyâs's grandson, and Çivizade's son, Molla Muḥammad b. Shaykh Muḥammad b. Ilyās (see above, pp. 71–2).

Two dates have been advanced by the early sources for Çivizade's birth, Tamîmîzade writing that he was born on 12 Rabīʿ I 896/23 January 1491, while Atâ'î gives, in effect, 881/1476–7: in his article on Çivizade's son, Atâ'î writes that the chronogram for the son's birth is *innahu khayr al-walad*

Ali Cemâlî's son Fuḍayl Efendi (cf., however, the rather different account in the biography of the same: Atâ'î, 275–8, and below, Conclusion, n. 14) and to appoint the Rumeli kazasker Molla Shams al-Dīn Aḥmad, known as Kadızade, to the Müftilik. Sokullu is said thus to have removed from the divan a man who had proved a nuisance to him.

[146] Taş, ii, 45–7; Mecdî, 446–8; *Katâ'ib*, ff. 400b–402a; Âli, Or. 7832, ff. 148a–b; Müstakimzade, ff. 8a–b; *SO*, iv, 344–5; M. Cavid Baysun, 'Çivi-zâde' in *İA*; V. L. Ménage, 'Čiwi-zāde' in *EI*[2].

A very informative biography of Çivizade is to be found in the *Ṭabaḳāt al-saniyya fī tarājim al-Ḥanafiyya* by the Arab scholar Taḳī al-Dīn b. 'Abd al-Ḳādir, known as Tamîmîzade (d. 1005/1597: for the work, hereafter 'Tamîmîzade', see Kâtib Çelebi, *KZ*, ii, 1098, 1099; and for the author, Atâ'î, 408). The work, in Arabic, contains biographies of 'those in the *Shaḳā'iḳ* and those who came after up to [the author's] own time', and was highly thought of in its own time. Both Kâtib Çelebi and Atâ'î state that it was completed in 993/1585, but the former includes without comment a quotation from the work itself which dates its completion in Rajab 989/August 1581 while the author was kadı of Fuwa in Egypt.

I have not used Tamîmîzade systematically, but notes which I took on his biographies of the Müftis included in the present study (from MS. Süleymaniye 829, dated early Jumādā I 1000/mid-February 1592) suggest that in general he does not add greatly to Taşköprüzade. The biography of Çivizade is exceptionally detailed, however: the fact that his son was one of six important Ottoman scholars who wrote encomiums of the work (reproduced at the beginning of Süleymaniye 829: cf. *KZ*, ii, 1098) suggests that he was a patron of Tamîmîzade's, and he and his family therefore a subject of special interest. The elder Çivizade's biography is at Süleymaniye 829, ff. 365a–366b.

(937/1530–1) and that it is 'a fortunate accident' that the chronogram for Çivizade's birth is *khayr al-walad* (881/1476–7).[147] Atâ'î's date is perhaps rendered somewhat doubtful simply by the neatness of the chronogrammatic coincidence, and one's suspicion of it (and one's preference for something like Tamîmîzade's date) is increased if one considers the question of Çivizade's birth date in relation to the chronology of the rest of his career.

It is extremely difficult to find sufficient data to establish a normal timetable for the careers of scholars in the period under consideration and to try to judge thereby at what age a given scholar might reasonably be expected to have reached a certain step in his career; and even if such a normal timetable could be established, it would be dangerous to rely too much upon it, since any given scholar might, for reasons not apparent in the sources, depart from the norm. None the less, it is not a totally fruitless exercise to compare the age at which Çivizade arrived at one post, a Sahn müderrislik, with the age at which certain other scholars arrived at the same stage. It will be shown below that Çivizade was appointed to the Sahn in, or shortly after, the year 935/1528–9, at which time, on the assumption that he was born in 881, he would have been at least fifty-four *hijrī* years of age. In the biography of Kemalpaşazade it has been mentioned that according to Kâtib Çelebi, Kemalpaşazade was born in 873 and that there is strong evidence that he became kadı of Edirne in 921, having taught not only at the Sahn but also, subsequently, at the Bayezid II medrese in Edirne by that date. Thus, provided that Kâtib Çelebi's date for his birth is reasonably accurate, Kemalpaşazade would have been appointed to the Sahn when he was not more than forty-eight years of age, and perhaps some few years younger. Kadirî Çelebi, whose biography will be given below, is said to have died in 955 at an age exceeding seventy;[148] and it seems fair to assume from this statement a birth date not earlier than 880. By 927, at an age of not more than forty-seven, if the assumption about his birth date is correct, Kadirî Çelebi had completed his tenure at the Sahn, becoming in that year kadı of Bursa, apparently from the Sahn. There is some disagreement about the birth date of Ebüssu'ûd Efendi, to whom reference will also be made below, but the generally accepted date, and in any case the earliest of those mentioned, is Şafar 896/December 1490. He was appointed to the Sahn in 934, at the age of thirty-eight, and remained there for five years. Finally, Taşköprüzade was born in Rabī' I 901 and received his first appointment to the Sahn in Rabī' I 946, at the age of forty-five.[149]

From these examples it would seem that if the birth date 881 is correct,

[147] Atâ'î, 292 (where the figure 881 is incorrectly written after the chronogram for the son). This date has been accepted by Baysun and by Danişmend (ii, 431).

[148] There is strong evidence that Kadirî Çelebi died as late as 959: see below, pp. 262–3. If he did so, and if the statement about his age at his death is correct, he would have been even younger when he came to the Sahn.

[149] Taş, ii, 178, 187; Mecdî, 524, 526.

Çivizade arrived unusually late in his life at the Sahn;[150] and since the sources mention no unusual circumstances which delayed Çivizade's progress, one may suggest that this fact casts doubt upon the birth date without, however, by any means disproving it. In regard to the date 896 given by Tamîmîzade, the one piece of evidence in the early sources which would call so late a date into question is that el-Kefevî writes that Çivizade studied first under his father, Çivi İlyâs, who is said by Tamîmîzade, however, to have died only four years after his son's birth.

According to Taşköprüzade, Çivizade studied under Molla Sa'dī b. al-Tājī Bey (Tacibeyzade Sa'dî Çelebi: d. 922/1516) and then transferred to the service of Molla Karabâlî (d. 929/1522–3),[151] whose *muid* he became. Mecdî writes that he also studied under Fenârîzade Muhyiddin Çelebi while he was at the Hadım Ali Paşa medrese and under Molla Mehmed Paşa (d. 925/1519 ?) while he was at the Kalenderhane medrese.[152] Inserting these two names between the two mentioned by Taşköprüzade, el-Kefevî says that Çivizade became not only Karabâlî's *muid* but his son-in-law as well and that Karabâlî's daughter, who was still alive when el-Kefevî was writing (985–7/1577–9), was the mother of the then kazasker (later Müfti), Çivizade the younger.

Tamîmîzade, who gives Çivizade's teachers as Mehmed Paşa; Mehmed b. Hamza, known as Sarı Görez (Sarı Görez's name, however, was Nūr al-Dīn Ḥamza b. Yūsuf al-Ḳaraşiwī: see above, pp. 218–19); Molla Bâlî; and Molla Sa'dî b. Tacî, adds two important and interesting bits of information about Çivizade's student days. The first concerns his relationship with Fenârîzade Muhyiddin Çelebi, mentioned by Mecdî as one of his teachers. According to Tamîmîzade, Çivizade went to study under Muhyiddin Çelebi and took up residence at his medrese, but before he actually began his studies, he decided to return to his former teacher, Mehmed Paşa. So outraged was Muhyiddin Çelebi by this slight that he never forgave Çivizade, disparaging him constantly both in his lessons and in his writings.

The second piece of information given by Tamîmîzade is that Çivizade became *mülâzım* through Tacibeyzade Sa'dî Çelebi despite the fact that he

[150] A similar case might be made on the basis of the age at which Çivizade became *mülâzım*, which status, as shown just below, he appears to have attained in late 922. Twenty-six, one suspects, was a much more usual age by which to have attained this status than forty-one in this period.

[151] For Tacibeyzade Sa'dî Çelebi, see Taş, i, 490–1; Mecdî, 337–8; and for Karabâlî, Taş, i, 448–9; Mecdî, 316–17. The latter was one of the Sahn müderrises who acted as Müfti until Ali Cemâlî's return from the pilgrimage: see above, pp. 207–8. There is some controversy over the date of his death, Taş, el-Kefevî (f. 391a), Sa'deddin (ii, 559) and Kâtib Çelebi (*KZ*, ii, 1765–6) giving 929/1522–3, while Mecdî, followed by *SO* (ii, 3), gives 920/1514. The date in Taş has been preferred as it is easier to imagine a *dokuz* dropping out of Mecdî than an extraneous *tis'* making its way into Taş.

[152] For Fenârîzade Muhyiddin Çelebi, see below, pp. 263 et sqq. For Mehmed Paşa, see Taş, ii, 19; Mecdî, 420 (who give his death date as 923/1517); and Danişmend, ii, 442, 449–50 (who gives 925/1519 for his death).

had already transferred to the service of Karabâlî, whose *muid*, all the sources are agreed, Çivizade became. The explanation which Tamîmîzade gives for this unusual circumstance is that while Selim was absent from Istanbul campaigning against the Persians, Molla Sa'dî died; and when (as was usual) the staff of the kazasker's office identified those of his students who deserved to become *mülâzım* (*fa-'ayyana ḳaḍā' al-'askar mulāzimīhi*) and presented their names to the sultan, they mistakenly included Çivizade, supposing him to have remained in the service of Molla Sa'dî until the latter's death.

Most of the essential facts of Tamîmîzade's account are confirmed in an entry in TS/D8823 (p. 21r) (the document almost certainly to be dated to roughly the last nine months of 929 or the early months of 930 (1523)), which shows Çivizade to be then in retirement from the Ferhad Ağa medrese in Bursa and which adds by way of confirming his qualifications: 'He [i.e. his name] was submitted in Damascus by reason of the death of Sa'dî Çelebi, and he became *mülâzım*.' Given the facts that Tacibeyzade Sa'dî Çelebi's death is reported to have occurred in 922/1516 and that it was in Damascus that Çivizade was made *mülâzım*, one must suppose that it was on the Egyptian campaign—in all probability during Selim's stay in Damascus on the way to Egypt, between 29 Sha'bān and 20 Dhu 'l-Ḳa'da 922 (27 September to 15 December 1516)—that Çivizade achieved *mülâzım* status and not, as Tamîmîzade asserts, on the campaign against 'the heretics (*rawāfiḍ*) in the lands of Persia'.[153]

Having completed his education and become *mülâzım*, Çivizade was appointed müderris successively at the Beylerbeyi medrese in Edirne (with 20 akçe a day, according to Tamîmîzade); at the medrese of the vezir Aḥmad Pasha b. Walī al-Dīn al-Ḥusaynī in Bursa; and at the Ferhadiye (Ferhad Ağa) medrese, also in Bursa: as noted above, TS/D8823 shows him to have been in retirement from this last medrese at some point in 929 or the early months of 930 (1523). The evidence of the contemporary document is complemented—and the date of the document itself perhaps made capable of refinement—by information given by el-Kefevî concerning Çivizade's next appointment, as the first müderris at the newly-completed medrese in Çorlu. el-Kefevî writes that the medrese was built by the vezir Hâin (Khā'in) Ahmed Paşa before he departed for Egypt and turned traitor. When Çivizade heard of his treachery, he abandoned the medrese and went to Istanbul; on being asked why he had left, he said that he would not teach in the medrese of a traitor. As Hâin Ahmed Paşa left for Egypt in Ramaḍān 929/August 1523 and openly proclaimed rebellion in Rabīʿ I 930/January 1524, one would conclude on the basis of el-Kefevî's evidence that Çivizade held the müderrislik in Çorlu from some time around the former date until shortly after the latter; and it may therefore be that TS/D8823 ought tentatively to be dated to the middle months of 929 rather than later in the year or early 930 when Çivizade would appear to have been müderris in Çorlu.

[153] Cf. Atâ'î (p. 130), however, who has him still as Karabâlî's *muid* at the Sahn in 923.

Çivizade was next appointed to the Mahmud Paşa medrese in Istanbul. It would seem, however, that he spent some time without a post since Ebüssu'ûd Efendi appears to have held that müderrislik from 928/1521–2 until the end of 931/late summer 1525.[154] Çivizade then moved on to one of the Üç Şerefeli medreses and came finally to the Sahn.

The story of Çivizade's appointment to the Sahn contains several points of interest in connection with the workings of the learned profession.[155] In 935/1528–9, while Çivizade was teaching at the Üç Şerefeli, one of the Sahn medreses fell vacant. He laid claim to it, as did two other müderrises, Molla Isḥāḳ .b. Ibrāhīm al-Uskūbī (İshak Çelebi), who was at that time at the Darülhadis in Edirne, and Molla Fakhr al-Dīn Isrāfīl-zāde (İsrafilzade), then teaching at the Sultan medrese in Bursa.[156] In case of competition for a medrese post it was customary to hold an examination to decide among the candidates. With the kazaskers Fenârîzade Muhyiddin Çelebi and Kadirî Çelebi as examiners, the three men were set to write a *risale* on each of three subjects, each being allowed to see the *risales* of the others and to answer them. In the course of the examination, apparently in an oral disputation, İsrafilzade and İshak Çelebi both seem to have become over-excited and to have behaved in an ill-mannered fashion, which fact was at least partly responsible for Çivizade's winning the examination. The medrese over which the three scholars had disputed was not, however, given to him, apparently being assigned to someone not involved in the examination;[157] and Çivizade was given a Sahn medrese falling vacant at another time.

The unusual circumstance, only mentioned by Mecdî, that Çivizade did

[154] Atâ'î, 184. Cf. Tamîmîzade, however, who writes that after leaving the Çorlu medrese he went to Istanbul and remained about forty days [i.e. for a long time (?)] before being appointed to the Mahmud Paşa medrese.

[155] References to various aspects of the story are to be found in the *Katā'ib*, f. 401b; Mank Ali, 338–41; Mecdî, 447–8, 470–1, 476; Peçevî, i, 56; Atâ'î, 134; Kâtib Çelebi, *KZ*, i, 848. Mecdî, in the cited passages, gives the most detailed account of the examination, while the fullest accounts of Kemalpaşazade's anger with Çivizade are to be found in Mank Ali (whose father was one of those made a *mülâzım* as a result of the incident), Peçevî and Atâ'î: see also above, p. 54, especially n. 80.

[156] For İshak Çelebi, see Taş, ii, 81; Mecdî, 468–71; Latîfî, 89–91; Gibb, *Ottoman Poetry*, iii, 40–5. From a chronogram consisting of two verses, each of the four half-lines of which works out to 933 (1526–7: the first half-line is given incorrectly in Mecdî), it is clear that İshak Çelebi was appointed to the Darülhadis in that year. For İsrafilzade, see Taş, ii, 85–6; Mecdî, 475–6: according to İsmail Beliğ (p. 289), İsrafilzade was appointed to the Sultan medrese in 932/1525–6.

[157] Though Kâtib Çelebi (*KZ*, i, 848) writes that İshak Çelebi won the examination, it is clear from the chronogram he gives for İshak Çelebi's appointment to the Sahn (also to be found, with a second chronogram for the same event, in Mecdî, 470) that this did not occur until 937/1530–1 (the statement in Baltacı, *O. Med.*, 366, that he was appointed in 935 needs to be evaluated in the light of these chronograms); while the rather boastful chronogram appended by İsrafilzade (who seems never to have taught at the Sahn) to his *risale* appears to establish beyond doubt that the examination occurred in 935/1528–9 (Mecdî, 476).

not immediately enjoy the fruits of his victory is explained in some detail by Mank Ali. One of the three works forming the subject matter of the examination was a part of al-Taftāzānī's commentary *al-Talwīḥ fī kashf ḥaḳā'iḳ al-Tanḳīḥ* on Ṣadr al-Sharī'a 'Ubayd Allāh b. Mas'ūd's text *Tanḳīḥ al-Uṣūl*: on this latter text Kemalpaşazade had also written a commentary, *Taghyīr al-Tanḳīḥ*. In the course of his *risale*, Çivizade introduced an argument advanced by Kemalpaşazade simply with *ḳīla*, 'it is said ...', and then proceeded to answer the argument. Çivizade's enemies—in the light of Tamîmîzade's comments, one wonders if Fenârîzade Muhyiddin Çelebi was among them—having persuaded Kemalpaşazade that he had thus been slighted, Kemalpaşazade complained to the sultan, demanding Çivizade's death. In the end, the intercession of the vezirs caused him to accept Çivizade's apology; and Çivizade, though forbidden the Sahn, returned to the Üç Şerefeli, while Kemalpaşazade was soothed with gifts and the right to invest three *mülâzım*s.

If Çivizade, then, though having won the competition for the post at the Sahn in 935/1528–9, did not receive the appointment immediately, there is some evidence that his appointment was not long delayed and that he was teaching at the Sahn in that year: Atâ'î, in his article on Oğlan Şeyh, transmits a curious story that before his execution Oğlan Şeyh came to Çivizade, müderris at the Sahn, complaining of the crush of the common people and desiring that he be examined and executed,[158] a wish that was fulfilled in late 935.

The fact that Çivizade appears not to have succeeded to the Sahn until at least 935/1528–9 would seem to dispose of the date 934/1527–8 given by Müstakimzade and the great majority of later sources for his next appointment, to the kadılık of Egypt. Atâ'î is the only author to give a likely date for the appointment: in his biography of Shāh Muḥammad b. Khurram, he writes that that scholar became attached to Çivizade when he was at the Sahn and became his *naib* when, in 937/1530–1, Çivizade became kadı of Egypt.[159] It is universally agreed that after his tenure as kadı of Egypt he became Anadolu kazasker, in which post he succeeded Kadirî Çelebi. It is possible both to confirm and to make more specific the date 944 given by most of the sources for Çivizade's appointment by precise early evidence relative to the dismissal of Kadirî Çelebi: according to the *ruzname* of Süleyman's campaign against Corfu, both Fenârîzade Muhyiddin Çelebi, the Rumeli kazasker, and Kadirî Çelebi, the Anadolu kazasker, were removed

[158] Atâ'î, 89, lines 23–4. Baltacı (*O. Med.*, 167) gives 935/1528–9 for Çivizade's appointment to the Çifte Başkurşunlu medrese on the Black Sea side of the Sahn. Tamîmîzade comments about Çivizade's appointment to the Üç Şerefeli that he remained there for some four years.

[159] Atâ'î, 137. Şah Efendi stayed with Çivizade, to become his accountant [? – *muhasebe hizmeti*] when he became Anadolu kazasker in 944/1537 and his *muid* (at the Bayezid II medrese in Istanbul) when he became Müfti in 945/1539: from this last service Şah Efendi became *mülâzım*.

from office during the return from the campaign, on 15 Rabī' II 944/21 September 1537.[160]

Having remained in this post for a little over a year, Çivizade succeeded to the Müftilik on the death of Sa'dî Çelebi, which occurred on 2 Shawwāl 945/21 February 1539. He was later removed from the Müftilik, and it is held by certain relatively recent sources which deal with the general history of the office that he was the first Müfti to be relieved of his post.[161] In view of the fact that, as noted above, Abdülkerim almost certainly did not die in office and may well have been removed to make room for Molla Hüsrev, the statement that Çivizade was the first to be removed must be regarded as questionable. That he was removed is unquestionable, however, although there is some disagreement about both the cause of his being relieved of his office and the date of it.

The first of the biographical sources to give the cause of Çivizade's removal is el-Kefevî. Following his statement that Çivizade became Müfti, he comments upon Çivizade's firm, indeed zealous, devotion to orthodoxy and the şeriat and then says that he went too far in certain problems in the şeriat, opposing the generality (of the ulema) and giving fetvas contrary to their views. As examples of this tendency he cites the problems of the legality of *al-masḥ 'ala 'l-khuffayn* (in essence, performing the ablution wearing footwear rather than with bare feet), and of the legality of making *evkaf* of cash, both of which practices Çivizade forbade. el-Kefevî goes on to say that Çivizade went further in his contrary attitude and gave fetvas declaring guilty of unbelief certain of the great Sufi şeyhs like Ibn al-'Arabī, Jalāl al-Dīn Rūmī and others. He was therefore removed from the Müftilik.

The effective public denunciation, at least, of the practice of making *evkaf* of cash belongs to a later period, when Çivizade was kazasker of Rumeli, rather than to his Müftilik and will be discussed in due course; but that he got himself into serious trouble during his Müftilik over the problem of *masḥ* is clear from the work of a contemporary, Lûtfi Paşa (d. *c.* 970/1563). Lûtfi Paşa writes that in the year 948/1541–2, Çivizade, declaring that there was no clear transmission from the Ḥanafī Imams concerning *masḥ*, proceeded to give a fetva on it which was contrary to those of previous müftis. Sultan Süleyman, who was conversant with this problem, knew Çivizade to be wrong and ordered his vezirs to assemble the ulema to pass judgement on Çivizade's fetva. When the ulema declared it to be contrary both to the books of law and the fetvas of previous müftis, Süleyman ordered the chief among them: 'Depose that (*imza eylen*) in the matter of *masḥ* Çivioğlu's ignorance and obstinacy and lying and falsehood are manifest', which they thereupon

[160] Feridun, i, 601. See also below, pp. 259–60.

[161] *İS*, 308; Danişmend, i, 435, ii, 431–2, iv, 563; Kramers, 'Shaikh al-Islām' in *EI*[1]. Danişmend, in the latter two places referred to, also states that Çivizade was the first Müfti not to die in office, though in the first reference he notes the possible exception of Molla Yegân. Abdülkerim, as well as Molla Yegân, almost certainly constitutes an exception to this statement, however, whether he was removed from office or resigned.

did.[162] Lûtfi Paşa does not, however, mention the fact that Çivizade was dismissed, either here or elsewhere in his work. Though one cannot therefore be certain that Çivizade's fetva on this problem was the cause of his dismissal, Lûtfi Paşa's failure to mention Çivizade's dismissal at all is curious, and it may be that he thought it too obvious a concomitant of this serious censure to be worth mentioning specifically.

Âli and Peçevî write that the cause of Çivizade's downfall was the fact that Ebüssu'ûd Efendi, at the time kazasker of Rumeli, declared in the divan that certain of his fetvas were contrary to the şeriat, and that when the Grand Vezir Rüstem Paşa presented Ebüssu'ûd Efendi's objections to the sultan, Ebüssu'ûd Efendi was given the Müftilik and Çivizade the Rumeli kazaskerlik. This account does not square with the facts, however, since Ebüssu'ûd Efendi did not directly succeed Çivizade in the office of Müfti, two other men holding the office between Çivizade's dismissal and Ebüssu'ûd Efendi's accession, and since, as Danişmend points out, Rüstem Paşa, who became Grand Vezir in Ramaḍān 951/November 1544, could not possibly have been Grand Vezir when Çivizade was dismissed inasmuch as the latest date given in the sources for that event is 949/1542–3.[163]

It would seem from el-Kefevî's account that he considered Çivizade's

[162] Lûtfi Paşa, 390–2. For Lûtfi Paşa, see Gökbilgin, 'Lutfi Paşa' in *İA*. He held the office of Grand Vezir from Şafar 946 to Muḥarram 948 (July 1539 to April–May 1541). After his dismissal he seems to have spent most of the remainder of his life in Dimetoka, although he did come to Istanbul in 949 to get permission to go on the pilgrimage in that year (March 1543). See also Kâtib Çelebi, *KZ*, i, 890.

It would be interesting to know precisely what form this collective, apparently written (assuming *imza* to carry this implication) condemnation of Çivizade's viewpoint took. Lûtfi Paşa's actual words describing the condemnation are:

> *Ol zamanın uleması ve ol evanın bülega ve fudalâsı Çivioğlu'nun bu hususta olan fetvası ulema-i mütekaddimîn ve fudalâ-i müteahhirîn fetvalarına muhalif olduğuna binaen imza ve hükm-i sahih-i şer'îyi icra edip vaz-i sabıka-i mübin üzere mukarrer ettiler.*

The only relevant evidence I have discovered on this point is four fetvas (amongst a number of others) in the section on *wuḍū'* and *masḥ* in the collection by Lâlî (as below, n. 168) which declare legal various aspects of the practice, each fetva bearing separate but concurring answers by Fenârîzade Muhyiddin Çelebi; Ebüssu'ûd Efendi as Rumeli kazasker; and Muḥammad b. Ḳuṭb al-Dīn (as below, n. 177) as Anadolu kazasker (*Majma' masā'il shar'iyya*, ff. 19a–b: I have assumed the lack of *caizdir* or some such before the signatures of the latter two in the third fetva to be a copyist's omission). While not perhaps 'pure' documentary evidence in the sense that their present form may well have been determined by the compiler, the fetvas nevertheless give every appearance of constituting the sort of massing of heavyweight legal opinion which later occurs in the cases of *waḳf al-muḳūd* and the declaration of Şehzade Bayezid to be effectively a rebel (see below, pp. 255 and 284 et sqq.). How the fetvas relate to the action taken against Çivizade is difficult to assess, however, since it seems virtually certain that Fenârîzade Muhyiddin Çelebi is acting as Müfti, a post to which he acceded only after Kadirî Çelebi's tenure of that office and therefore some months at the least after Çivizade's dismissal.

[163] Âli, Or. 7832, ff. 148a–b; Peçevî, i, 49 (who does not mention Rüstem Paşa's office); Danişmend, ii, 431.

attribution of unbelief to the great Sufi şeyhs to be the most important, if not indeed the immediate cause of his dismissal.[164] Two fetvas of Ebüssu'ûd Efendi's indicate both that Çivizade's views on the Sufi şeyhs were typically forthright and also that they found little favour amongst the most prominent Ottomans. In one of these, chiefly concerned with Shaykh Ibrāhīm Gulshanī (İbrahim Gülşenî: d. 940/1534), Ebüssu'ûd Efendi repudiates a fetva of Çivizade's which declares Şeyh İbrahim and his followers to be impious and heretical.[165] In the other, quoted by el-Kefevî in his biography of Çivizade and said to have been put to Ebüssu'ûd by Selim II, the petitioner relates that a question (it is not stated to whom) about what should be done to one who declares such as the Imam Ghazālī, Ibn al-'Arabī and Jalāl al-Dīn Rūmī to be unbelievers received the response: 'It is necessary to state the reason for the ascription of unbelief [to them]' (*tekfirin vechin beyan etmek lâzımdır*); and the petitioner goes on to ask if there *can* be a reason for ascribing unbelief to such men, and who can be considered a Muslim if these men be in any sense unbelievers. In his answer confirming the impropriety of ascribing unbelief to such men, Ebüssu'ûd Efendi notes: 'When Çivizade waxed arrogant, the truth of the matter was made plain to him in detail.'

el-Kefevî's near-contemporary evidence on the proximate cause of Çivizade's dismissal—it will be remembered that el-Kefevî came to Istanbul in 949/1542–3, perhaps a year after the event—is strong, but it is at the same time difficult to discount the possibility that the severe public censure he received at the instigation of the sultan over the question of *mash*, which Lûtfi Paşa felt worth recording in some detail (and which el-Kefevî mentions), provided the immediate cause. It may well be, as Ménage suggests, that while the pretext for his dismissal was his fetva on *mash*, his opposition to Sufism constituted the more important underlying cause.[166]

[164] Cf. Müstakimzade (f. 8b), who quotes el-Kefevî as saying that his maligning of the great şeyhs of the past was the reason for his being removed from the Müftilik. Âli (Or. 7832, f. 148b) and Peçevî (i, 49) also mention his opposition to the great şeyhs but do not connect this with his dismissal, while Mecdî (p. 447) only mentions the point in passing: 'He pronounced in error those who passed for şeyhs in the Sufi *tarikat* and subdued the innovators and those in error.'

[165] Düzdağ, no. 968. For İbrahim Gülşenî, see Tahsin Yazıcı, 'Gulshanī' in *EI*². Summoned from Egypt to Istanbul in 934/1527–8 as a possible danger to the state, he was interviewed by Süleyman, and one of his works was sent to Kemalpaşazade for an opinion as to whether or not it conformed to the şeriat. Süleyman was impressed by Şeyh İbrahim and Kemalpaşazade gave a favourable fetva, Şeyh İbrahim then returning to Egypt where he died on 9 Shawwāl 940/23 April 1534.

Çivizade is also said in the fetva to have 'distrusted' Ibn al-'Arabī, Shaykh 'Umar, known as Ibn al-Fāriḍ (d. 632/1235: see Nicholson-[Pedersen], 'Ibn al-Fāriḍ' in *EI*²), Molla Hüdavendigar and others.

[166] In the last stages of the preparation of the present volume for publication, I discovered that one MS. of the *Süleymanname* of Bostan (in Vienna) describes the dispute over *mash* amongst the events of the year 948 (Yurdaydın, 'Bostan'ın Süleymannâmesi' (as above, n. 85), 165–6). Yurdaydın's brief mention of the matter is directed at a different point, but he does say that Çivizade was driven into retirement because of the dispute. If

None of the earliest biographical sources mentions the date either of Çivizade's dismissal or of the accession of his successor, Kadirî Çelebi, but later sources have advanced both 948/1541–2 and 949/1542–3 for one or the other event.[167] In addition to the weighty evidence of Lûtfi Paşa's account (and that of Molla Bostan) in favour of the former date for Çivizade's dismissal, apparently decisive support for it as the date of Kadirî Çelebi's accession is given by one Sayyid Aḥmad b. Muṣṭafā (Lâlî: d. 971/1563–4), compiler of a collection of fetvas, who writes in his introduction: 'In 948, when ... Abdülkadir, known as Kadirî Çelebi ... became Müfti, he bestowed the office of *fetva kâtibi* upon this humble servant. ...'[168] The alternative date—949—appears to derive from an inconsistency in Rifat Efendi, who, though saying that Çivizade was removed in Rajab 948/October–November 1541, goes on to say that he held the post of Müfti for three years and nine months, which, counted from Sa'dî Çelebi's death in Shawwāl 945, would mean that Çivizade was removed in Rajab 949.

On his dismissal Çivizade was given a pension of 200 akçe a day. During his period of retirement, according to Mecdî, he made the pilgrimage, to which fact Atâ'î adds the information that he went in company with his son in the year 950/1544.[169] After his return he was appointed to the Sahn,[170] and on 22 Sha'bān 952/29 October 1545, according to Tamîmîzade, he was appointed in place of Ebüssu'ûd Efendi, who had become Müfti, to the Rumeli kazaskerlik, which post he held until his sudden death on the fourth night of Sha'bān 954/18 September 1547. It was during his tenure of this

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Molla Bostan (who was, in 948, müderris at the Haseki Sultan medrese in Istanbul) does indeed make explicit the connection between this incident and Çivizade's dismissal—which, as has been suggested, is probably strongly implicit in Lûtfi Paşa—the question of the immediate cause would appear to be settled beyond doubt, though the possibility that this was no more than a pretext would, of course, remain (a possibility perhaps strengthened by the slightly surprising imprecision of the later sources on the point).

[167] See Atâ'î, 103; İsmail Beliğ, 308; Müstakimzade, ff. 8a, 8b; Rifat Efendi, 20 (but see below); *İS*, 308; and Baysun for 948; and Danişmend, ii, 432, and *SO*, iv, 334–5 (but cf. iii, 345) for 949.

[168] *Majma' masā'il shar'iyya fi 'l-'ulūm al-dīniyya*, Süleymaniye–Şehid Ali Paşa 1066, f. 2a. For Lâlî, see Âşık Çelebi, ff. 105a–b; Atâ'î, 44–5: the death date is taken from the latter, but Lâlî appears still to have been alive when the former was writing his biography.

The force of Lâlî's testimony is perhaps vitiated to a degree by the fact that, against all the biographical evidence, he appears to have Çivizade becoming Müfti in 946. It is possible, however, that the *olup* in this sentence should be read not that Çivizade *became* Müfti in 946 but *was* Müfti when, in 946, he made Lâlî his *fetva kâtibi*. Kâtib Çelebi (*KZ*, ii, 1220) appears to have read Lâlî in this sense, and it should also be noted that just previous to his discussion of Lâlî's work, Kâtib Çelebi mentions another work containing fetvas issued by Kadirî Çelebi in 948 (*KZ*, loc. cit.).

[169] Atâ'î, 292. Tamîmîzade also mentions that he went on the pilgrimage in 950.

[170] For references to his having been at the Sahn at this period, see Atâ'î, 145–6, 442. The latter passage might appear to confirm that he became müderris in 951/1544–5, but it is not altogether clear to what the date refers: it is clear, however, that he was at the Sahn in that year.

post that he brought about a change in public policy, albeit a temporary one, on the question of *waḳf al-nuḳūd*, or *evkaf* of cash, an event which el-Kefevî describes in some detail, as follows:[171]

> The Shaykh al-Islām[172] Shaykh Muḥammad b. Molla Çivi used to maintain the lack of validity of making *waḳf*s of dinars and dirhams, saying: 'The validity of it [rests upon] a weak authority, and most of the *mujtahid*s are agreed that [the practice] is not valid. Whoever undertakes the administration (*khidma*) of *waḳf*s not knowing the principles of the legal "transaction"[173] nor complying with the requirements thereof—that leads to the opening of the gates of usury.' He made representations on the question to Sultan Süleyman—Çivizade was then kazasker of Rumeli—and the sultan inclined to his view. A decree went out prohibiting benefactors from making *waḳf*s of cash and prohibiting kadıs from registering them. Matters proceeded thus < until, before long, Çivizade died > [omitted in R]. Then Ebüssu'ûd Efendi was asked for a fetva on this question,[174] and he gave an opinion in favour of the validity [of the practice of cash *waḳf*s], preferring the transmission of al-Anṣārī on the authority of his teacher, Zufar. ... And he mentioned therein many points of benefit to Muslims and the poor among them. Then the ulema united in supporting the opinion he had given and in opposing that which Çivizade had given, and this question became one on which all were agreed. Then they made representations to the sultan, and there went out a decree in the following sense ...

[171] *Katā'ib*, ff. 409a–410a. Both here and in the translation of the decree below I have abridged the text slightly, mostly by omitting or paraphrasing the inevitable rhetorical attributives and set phrases. I have marked one important passage which is omitted from R—which otherwise forms the basis for the translations—but is present in the other MSS.

A discussion of the issues involved in the controversy over cash *evkaf*, together with extensive quotations from Çivizade, Ebüssu'ûd Efendi and others who joined in the fray, is to be found in Jon E. Mandaville, 'Usurious Piety: the Cash Waqf Controversy in the Ottoman Empire', *IJMES*, x (1979), 289–308.

[172] It is not clear whether el-Kefevî means this simply as a title of identification or whether he means that Çivizade raised the issue while he was Şeyhülislâm as well as when he was Rumeli kazasker.

[173] *al-mu'āmala al-shar'iyya*: *mu'amala* is presumably here used in the special sense of a 'euphemistic term for a device for evading the prohibition of interest' (Schacht, *Introduction*, Glossary, s.v.).

[174] It is clear from Mandaville (op. cit., 297–301) that Ebüssu'ûd Efendi had both issued a fetva and written a *risale* justifying cash *evkaf* before Çivizade died, since the latter replied to them, and that the existence of the decree based on Çivizade's view on the one hand and of Ebüssu'ûd Efendi's fetva on the other caused considerable confusion (see the letter from Şeyh Bâlî Efendi to Süleyman in ibid., 301. The sentence 'The military justice of Rumeli [Çivizade] sent out an order to all parts of the Empire ...' needs to be read with care since the order unquestionably proceeded ultimately from the sultan, as is made clear in the introduction to the later decree, most of which is translated below). Whether this fetva was the one around which the ulema are said to have rallied or whether Ebüssu'ûd Efendi was asked again for a fetva (perhaps by the sultan?) after Çivizade's death is not clear.

el-Kefevî here quotes in its entirety an imperial decree dated the latter part[175] of Rabī' I 955/early May 1548 which essentially abrogates the decree issued at Çivizade's urging prohibiting cash *evkaf*. The first part of the decree summarizes the circumstances surrounding, and the substance of, the earlier decree (this part supplying the substance of el-Kefevî's account translated above), and the decree then continues:

> It has now become a matter of common report that, because the administrators of the cash *waḳf*s which have been founded to the present time in the Ottoman lands and the heirs of the benefactors thereof have through [the operation of the decree prohibiting cash *waḳf*s] been consuming the money belonging to the *waḳf*s, many mosques and places of worship have become ruined and untended; and that, since most benefactors have not the disposal of immovables (*'aḳār*) with which to create *waḳf*s, [the earlier decree] has been the cause of a diminution of benefactions. For these reasons, Molla Abdülkadir, formerly my kazasker and [now] in retirement from the office of Müfti; the Müfti, Molla Ebüssu'ûd; my [two] kazaskers; Molla Emir Mehmed, the former Anadolu kazasker;[176] and other great Mollas have united in opposition to [Çivizade]; have given fetvas to the effect that *waḳf*s of dirhams and dinars are valid and binding; and have said: 'In matters such as this, there is no harm in acting on the basis of a weak authority.' This has been reported to my imperial presence; and since it is my imperial custom and practice to advance the affairs of the Faith and to strengthen the true *shar'*, my decree has gone forth to this effect, that those benefactors who wish to make benefactions and create *waḳf*s on the basis of that which has been current practice in the Ottoman lands since olden times may establish their *waḳf*s, choosing whether to do so with silver or with gold.

The decree ends with a relatively long *buyurdum ki* section repeating the command to allow *evkaf* of cash, enjoining the kadıs to make known the command to the people and specifying in detail the procedures to be followed to make such endowments valid and binding.

Apart from its intrinsic interest for the study of what was to become a long-lasting and sometimes heated controversy, the story has interest from the institutional point of view, as does indeed that related by Lûtfi Paşa concerning *masḥ*. It is clear from both stories, for example, that Süleyman took an active interest, indeed that his opinion was decisive, in matters which

[175] Seven of eight MSS. consulted on this point read *awākhir*, R alone reading *awā'il*.

[176] The then kazaskers were: of Rumeli, Molla Muṣṭafā b. Muḥammad, known as Molla Bostan (see above, n. 85); and of Anadolu, Molla Sinān al-Dīn Yūsuf b. Ḥusām b. Ilyās, known as Muḥashshī (Muḥaṣṣi) Sinan Efendi (Atâ'î, 248–51). Molla Emir Mehmed is Molla Muḥyi 'l-Dīn Muḥammad b. 'Abd al-Ḳādir, known as Ma'lūl (Ma'lûl) Emir (Taş, ii, 97–8; Mecdî, 484–5), who had held the Anadolu kazaskerlik for some months in 954, from Muḥarram to Sha'bān (February–October 1547: Atâ'î, 322–3, 130).

were well within the scope of the şeriat. The immediate relevance, in the case of *masḥ* to everyday religious practice, in the case of cash *evkaf* to public policy, is obvious and may partly explain the sultan's close interest; but it is worth noting that both the stories provide evidence that the sultan's influence on the law was by no means confined to the areas commonly regarded as outside the şeriat and in practice governed by kanun. A second point to note is, of course, the fact that in neither case was the Müfti's view thought to be decisive. In the case of *masḥ*, the opinion of Çivizade, then Müfti, was overridden by that of a body of the ulema, while in the case of cash *evkaf*, his opinion, now urged from the position of Rumeli kazasker, won the day for a time, only later to be overturned by the concerted opinion of a very influential group of the ulema: it might be noted that the five scholars identified by name or office in the decree comprise all but one of the living holders or ex-holders of the offices of Müfti and the two kazaskerliks.[177] One suspects that still (and perhaps ever) force of personality and of argument counted for more in the end than office, that the stories in fact reveal rather more of a positive nature about Çivizade than about the Müftilik.

As noted above, Çivizade died suddenly on the fourth night of Sha'bān 954/18 September 1547. The printed text of Taşköprüzade gives two stories concerning his death: first, that he fell ill after the prayer of *'ishā'* and died before midnight; and second, that he fell ill after the *'aṣr* prayer and died after the *maghrib* prayer. Only the first of these stories is to be found in the manuscript of Taşköprüzade and in Mecdî, which fact suggests that the second story was not in the original text of Taşköprüzade. At least part of the second story is to be found in el-Kefevî, who writes that Çivizade fell ill after the *'aṣr* prayer while holding a divan in his house. The people dispersed, and his companions bore him to his room where he died before midnight.

Tamîmîzade writes that prayers for him, led by Ebüssu'ûd Efendi, were said in the mosque of Sultan Mehmed. He was buried in the environs of the Eyüp mosque.

Kadirî Çelebi

Çivizade was succeeded in the Müftilik by Molla 'Abd al-Ḳādir, known as Kadirî Çelebi (or Kadrî Çelebi/Efendi).[178] Âşık Çelebi writes that he was a

[177] See Atâ'î, 103 (where the list of Anadolu kazaskers is particularly confused, however); Kâtib Çelebi, *Takvim*, 187–8, 196. The one not included is an ex-kazasker of Anadolu, Molla Muḥammad b. Ḳuṭb al-Dīn Muḥammad, known as Mîrim Kösesi (d. 957/1550: Taş, ii, 47–8; Mecdî, 448–9), who held the Anadolu kazaskerlik apparently from Çivizade's elevation to the Müftilik in 945/1539 until his own retirement in Muḥarram 954/February 1547 (Atâ'î, 323).

[178] Taş, ii, 42–3; Mecdî, 441–3; Sehî, 30; Latîfî, 272–3; Âşık Çelebi, ff. 223a–226b; *Katā'ib*, ff. 402a–b; Baldırzade, f. 76a; İsmail Beliğ, 307–9; Müstakimzade, ff. 8b–9a; Rifat Efendi, 21–2. Taş refers to him as Ḳādirī Çelebi, Sehî as Molla Ḳadrî Çelebi, and both Latîfî and Âşık Çelebi as Ḳadrî Efendi.

native of Hamid, the son of a kadı, and Mecdî says that his father's name was Mehmed.[179] The only information relative to his birth date to be found in the sources is the statement made by both Âşık Çelebi and Mecdî that he died at an age exceeding seventy; but as each gives a different date for his death, the former giving 958 and the latter 955, one can deduce no more from this than the probability that he was born sometime in the mid to late 880s (early to mid-1480s).

Kadirî Çelebi studied under 'the ulema of his time', then under Seyyidî Hamidî, and finally under Molla Rükneddin Zeyrekzade, whose *muid* he became.[180] According to Mecdî, this latter association occurred while Zeyrekzade was müderris at the Sultan medrese in Bursa; and evidence from a 'register of favours' (*defter-i in'amat*) cited by Baltacı shows that Zeyrekzade, who served twice as müderris at the Sultan, was appointed for the first time in 911/1505–6 and had completed his second stint by Muḥarram 914/May 1508.[181]

Having completed his studies with Zeyrekzade, Kadirî Çelebi became registered as a *mülâzım*, in which state, according to el-Kefevî, he remained for some time, indeed, it was said, for as long as nine years. So poor was he during this period that he was unable to possess the proper clothing and had to borrow it from his companions at the kazasker's gate. Having entered the kazasker's divan and greeted him, he would return to the gate, give back the clothing he had borrowed and change again into his shabby everyday clothing.

It so happened that an intimate of Sultan Selim's, Mustafa Ağa (d. 935/1529),[182] sought a teacher for himself; and when Kadirî Çelebi was recommended to him by certain müderrises, he appointed him his own teacher and ensured that he lived in great comfort. He also interceded on his behalf with the Rumeli kazasker Müeyyedzade, who, in turn, recommended him to the attention of Selim, whereupon Kadirî Çelebi was given the Hacıhasanzade medrese in Istanbul.

The information given in el-Kefevî's account suggests at least an approximate dating for this first appointment. It has been noted above that Müeyyedzade twice held the Rumeli kazaskerlik, from 911 to 917/1505 to 1511, and from 919 to 920/1513 to 1514. From the fact that Selim I (acceded Şafar 918/April 1512) made the appointment, it is clear that, if el-Kefevî has

[179] İsmail Beliğ (pp. 307–8) writes that he was from İsparta in Hamid, but it seems possible that he has confused Kadirî Çelebi with the subject of the previous notice in Âşık Çelebi (ff. 222b–223a), a Ḳādirī who was from İsparta in Hamid.

[180] For Seyyidî Hamidî, see above, pp. 207–10; for Zeyrekzade, Taş, i, 467–9; Mecdî, 326.

[181] Baltacı, *O. Med.*, 507–8.

[182] Identified by Âşık Çelebi as the vezir in the time of Selim I and Süleyman and founder of the *vakıf* complex in Gebze: see *SO*, iv, 372. It may well be that Kadirî Çelebi's relationship with Mustafa Ağa is at least part of the motivation for Celâlzade Mustafa's critical comments about Kadirî Çelebi, as above, n. 123.

all his facts right, it must have been made in Müeyyedzade's second term of office and that Kadirî Çelebi was thus appointed to the Hacıhasanzade medrese in 919 or 920 (1513–14). el-Kefevî also mentions that it is said that Kadirî Çelebi obtained the Anadolu kazaskerlik (to which he succeeded in 930/1523–4) nine years after his appointment as Mustafa Ağa's teacher, that is, after a period similar in length to his *mülâzemet*.

The only source to give contrary information on Kadirî Çelebi's first appointment is İsmail Beliğ, who, while not giving a date for his appointment to the Hacıhasanzade medrese, says that he was appointed to his second medrese, that of Davud Paşa in Istanbul, in 916/1510–11.[183] İsmail Beliğ's dating of several of Kadirî Çelebi's later appointments is remarkably accurate, so that his account cannot be lightly dismissed. It should be noted, however, that it does not accord at all with el-Kefevî's broad outline of Kadirî Çelebi's early career, notably the story of the nine-year period as a *mülâzım* followed by a rapid rise during the succeeding nine-year period to the Anadolu kazaskerlik. On the assumption that Kadirî Çelebi became *mülâzım* fairly early on in Zeyrekzade's first period as müderris at the Sultan medrese, however, the date 919 or 920 deduced from el-Kefevî for Kadirî Çelebi's first appointment does fit in reasonably well with the broad outline.

Virtually all the sources are agreed that after teaching at the Hacıhasanzade medrese, Kadirî Çelebi taught successively at the Davud Paşa medrese (omitted in Mecdî), also in Istanbul; at the Sultan medrese in Bursa and at the Sahn before becoming kadı of Bursa. TS/D5781, dated 921–2/1515–16 (?), shows him then to be at the Davud Paşa medrese with a salary of 40 akçe a day, while İsmail Beliğ writes in regard to the last two medrese appointments that he succeeded Taşköprüzade (the biographer's father) at the Sultan medrese in 922/1516–17 and Dâbbe Çelebi at the Sahn in 925/1519: the latter date is also given by Baltacı for the appointment of Kadirî Çelebi to the fourth medrese (the Ayakkurşunlu) on the 'Mediterranean' (Marmara) side of the Sahn.[184]

Mecdî gives unusually specific information concerning the kadılıks held by Kadirî Çelebi. He writes that he became kadı of Bursa in 927/1520–1, succeeding Abdülvasi Çelebi; kadı of Istanbul in 929/1522–3, succeeding (Fenârîzade) Muhyiddin Çelebi; and Anadolu kazasker in that same year, 929. As has been shown above in the biography of Sa'dî Çelebi, Mecdî appears to be wrong in respect of the last date, however, the documentary

[183] İsmail Beliğ, 308. In the case of both medreses İsmail Beliğ gives Kadirî Çelebi's predecessor, but the facts of the lives of neither are sufficiently certain to help with the dating.

[184] Ibid., 308 (but cf. p. 291, where Kadirî Çelebi is said to have been replaced at the Davud Paşa medrese in 925); Baltacı, *O. Med.*, 265–6, 365. Taşköprüzade's father is shown in TS/D5781 to be teaching at the Sultan medrese with 50 akçe, while Atâ'î (p. 243) has Kadirî Çelebi at the Sultan in 925/1519. For Dâbbe Çelebi, identified in Âli (Add. 10,004, f. 143a) as Molla Muḥammad Shāh b. Muḥammad b. al-Ḥājj Ḥasan, see Taş, i, 608–10; Mecdî, 390–1. TS/D5781 shows him at the Sahn with 50 akçe.

evidence there cited strongly suggesting that Kadirî Çelebi became Anadolu kazasker (and Sa'dî Çelebi kadı of Istanbul) in early 930, very possibly in Şafar of that year (December 1523–January 1524) as İsmail Beliğ asserts. It might be noted in passing that this fact appears to invalidate Atâ'î's statement in his brief and not altogether clear account of the history of the short-lived office of kazasker of the Arabs and Persians (*Arap ve Acem kazaskerliği*) that it was while Pîrî Paşa was Grand Vezir and Kadirî Çelebi Anadolu kazasker—and because of the former's affection for the latter—that the third kazaskerlik was done away with,[185] since Pîrî Paşa was forced into retiring from the office of Grand Vezir on 13 Sha'bān 929/27 June 1523.

As for the rest of the information given by Mecdî about the high learned offices held by Kadirî Çelebi, the evidence of various documents allows one to confirm and to make more precise at least some of it. The list of kadıs in Anatolia dated early Muḥarram 928/early December 1521, which is reproduced by Uzunçarşılı, shows Kadirî Çelebi to be kadı of Bursa at the time, while one of the *fetihnames* sent by Süleyman on the conquest of Rhodes is addressed to Molla Abdülkadir as kadı of Bursa and is dated early Şafar 929/late December 1522.[186] As this latter document provides a *terminus post quem* for his becoming kadı of Istanbul, so a probable *terminus ante quem* is provided by the earliest of the documents in Barkan/Ayverdi signed by 'Mevlânâ Abdülkaadir', dated early Jumādā I 929/late March 1523 (see above, n. 140); and it may well be, as İsmail Beliğ writes, that he was appointed to the kadılık of Istanbul in Rabī' I 929/January–February 1523. The evidence of the documents in Barkan/Ayverdi signed by 'Mehmed b. Aliyy'ül-Fenârî' is difficult to assess, for reasons which will be explained in the biography of Fenârîzade Muhyiddin Çelebi, which follows; but it may be noted here that the distribution of the documents is such as to suggest that Muhyiddin Çelebi was indeed kadı of Istanbul at least in 928 and 929 and was Kadirî Çelebi's predecessor in the office: the last of the pertinent runs of documents signed by him are three dated early Şafar 929.[187]

Kadirî Çelebi thus served successively as kadı of Bursa, kadı of Istanbul and Anadolu kazasker, in which last post he was to serve for some fourteen years. Concerning his dismissal, all the sources are agreed that it occurred in 944/1537–8, and İsmail Beliğ gives the month as Rabī' I (August–September 1537). Earlier evidence for the date exists, however, in the *ruzname* of Süleyman's campaign against Corfu, in which is found the cryptic note that

[185] Atâ'î, 189, in his article on Molla Abu 'l-Faḍl al-Daftarī, the son of İdris Bitlisî, the latter being the first appointee to the office.

[186] See respectively Uzunçarşılı, *İT*, plate XVII; Feridun, i, 522–5.

[187] Barkan/Ayverdi, docs. 1431, 1432, 1433. These are the last of a run of some fifteen documents which begin with doc. 1022, dated mid-Rabī' I 928/mid-February 1522, and which seem fairly certainly to pertain to Muhyiddin Çelebi (as distinct from his brother, Mehmed Şah) as kadı of Istanbul. The next run of documents begins in early Jumādā I 930/mid-March 1524 (doc. 715), by which time Muhyiddin Çelebi had almost certainly become Rumeli kazasker. See further below, pp. 266–8.

on the return from the campaign, the Rumeli and Anadolu kazaskers, Muhyiddin Çelebi and Kadirî Çelebi, were removed from office at a halting-place called Lâḥine Ḳaṣrî on Thursday 15 Rabīʿ II 944 ([Friday] 21 September 1537).[188] Of the sources relative to Kadirî Çelebi, only the *İlmiye salnamesi* attempts any explanation of his dismissal, saying that he was removed because of his excess of uprightness (*fart-i istikameti*), though the author gives no details. One may, perhaps, assume that the two kazaskers were removed for the same reason; and Mecdî gives in his *tezyil* on Fenârîzade Muhyiddin Çelebi a little further information on the incident, writing that the Grand Vezir Ayâs Pasa (Grand Vezir from Ramaḍān 942 to Ṣafar 946/March 1536 to July 1539) caused him to be removed from the kazaskerlik. So grieved was Muhyiddin Çelebi by this that during his subsequent stay in Mecca he used to take hold of the ring of the door of the Kaʿba and pray for Ayâs Paşa's death, an event which occurred on 26 Ṣafar 946/13 July 1539.

A story related in a marginal note in Atâ'î[189] would seem to indicate that the two men brought about their own downfall. According to the story, on the return from Corfu, when nearing Serez, they were riding with Süleyman and the conversation came round to the cause of the execution of the Grand Vezir İbrahim Paşa (Ramaḍān 942/March 1536). As in the case of Hārūn al-Rashīd and Jaʿfar Barmakī, this was a secret known only to the sultan; and angered by the impertinence of their questions, Süleyman dismissed them on the same day.

Though this account is in itself perfectly possible, it does not square in any obvious way with Mecdî's statement that Ayâs Paşa was responsible for the dismissal at least of Muhyiddin Çelebi. While the part of Mecdî's story dealing with Muhyiddin Çelebi's bringing about Ayâs Paşa's death by his prayers may be treated with some skepticism, it is more difficult to dismiss the clear statement of Ayâs Paşa's role in his removal; and further evidence of the ill will of Ayâs Paşa toward Muhyiddin Çelebi is given by Atâ'î, who recounts that after the latter's dismissal some of his family and followers were removed from their learned posts because of Ayâs Paşa's enmity.[190] There thus appears to be some grounds for supposing Ayâs Paşa to have had a hand in the removal of the two kazaskers; and if the story of the sultan's irritation with them over the question of the execution of İbrahim Paşa has any truth in it, it may be that the incident presented the Grand Vezir with an opportunity to engineer their dismissal.

On his removal Kadirî Çelebi was given a pension of 150 akçe a day, and,

[188] Feridun, i, 601. Mecdî writes in his *tezyil* on Fenârîzade Muhyiddin Çelebi (p. 389) that this incident occurred at Serez, which, according to the *ruzname*, was reached only on 7 Jumādā I/12 October. According to the *Çevirme kılavuzu*, 15 Rabīʿ II 944 was a Friday. Danişmend (ii, 196) notes that there is some confusion about the days of the week in the *ruzname*.

[189] Atâ'î, 186.

[190] Ibid., 32.

according to Mecdî, he performed the pilgrimage before becoming Müfti. The question of the date of his accession has already been discussed at some length in connection with Çivizade's dismissal, the conclusion reached there being that Çivizade was almost certainly removed, and therefore Kadirî Çelebi in all liklihood appointed, in the year 948/1541–2.

Though it is agreed that Kadirî Çelebi resigned from the office of Müfti because of ill health, there is considerably more uncertainty about the date of his resignation than about the date of his appointment. Mecdî writes that he resigned 'after a short time' and gives 949/1542–3 as the date of the accession to the Müftilik of Kadirî Çelebi's successor, Fenârîzade Muhyiddin Çelebi, a date accepted explicitly or implicitly by both Atâ'î and Kâtib Çelebi and made more specific by İsmail Beliğ, who gives Rabī' II 949/July–August 1542 as the date of Kadirî Çelebi's leaving the office.[191] Apart from Mecdî, the only other early source to give a pertinent date is el-Kefevî, who dates Muhyiddin Çelebi's accession in 948; but some doubt is perhaps cast on this date by the fact that el-Kefevî gives 951 as the date of Muhyiddin Çelebi's resignation rather than 952, the otherwise universally accepted, and almost certainly correct, date.[192] Whether depending on el-Kefevî or not, the later sources generally give 948 as the date of Kadirî Çelebi's resignation and Muhyiddin Çelebi's appointment. Müstakimzade writes that he left the office in 948, a few months after his appointment, and Rifat Efendi specifies that he resigned after three months, in Shawwāl 948/January–February 1542.[193] On present evidence however, there seems to be no way to decide whether Kadirî Çelebi resigned in 948 or 949, though the evidence for the latter date is perhaps the weightier.

The only information given in the great majority of sources about the remainder of Kadirî Çelebi's life is that he retired with a pension of 200 akçe to Bursa where he built a *mescid* and a medrese and where he remained until his death. Atâ'î, in his biography of Molla Muṣṭafā b. 'Alī (Küçük Bostan), writes that the subject, who had been studying under Kadirî Çelebi, was forced in 949/1542–3 to transfer to another scholar because of Kadirî Çelebi's poor health;[194] and el-Kefevî provides an eyewitness account of the effects of his illness, writing of an occasion in 950/1543 when, as a student,

[191] Mecdî, 388; Atâ'î, 36, 145; Kâtib Çelebi, *Takvim*, 182; İsmail Beliğ, 308. Atâ'î's list of the holders of the Müftilik (p. 103) gives 946 for Kadirî Çelebi's resignation, which is clearly a misprint.

[192] *Katā'ib*, f. 394a.

[193] Danişmend, who prefers Rifat Efendi's statement about the length of Çivizade's tenure to that about the date of his dismissal, remains consistent with his assertion that Çivizade was removed in Rajab 949/October–November 1542 by giving the date of Kadirî Çelebi's resignation as Shawwāl 949/January 1543 (ii, 431–2: followed by Altunsu, 22, 24).

SO is, as in the case of the removal of Çivizade and the accession of Kadirî Çelebi (see above, n. 167), apparently inconsistent about the date of the resignation of Kadirî Çelebi and the accession of Muhyiddin Çelebi: cf. iii, 345; iv, 344.

[194] Atâ'î, 132.

he was present with his teacher, Molla Shams al-Dīn Aḥmad b. Badr al-Dīn Maḥmūd (Kadızade), and the other leading ulema in the Great Mosque in Bursa to pray for the success of Süleyman on campaign. Kadirî Çelebi entered the mosque, and though Kadızade, who had studied under Kadirî Çelebi, attempted to greet his old master, the latter passed him by with 'a dull-witted, uncomprehending look'. el-Kefevî adds: 'And I realized that he had become senile.'

The date of Kadirî Çelebi's death presents an interesting problem and, on the evidence at present available, one difficult of resolution. Taşköprüzade and all the later biographers of Kadirî Çelebi with the exception of Âşık Çelebi, el-Kefevî and Tamîmîzade write that he died in 955/1548–9. Mecdî gives several chronograms for his death,[195] and Müstakimzade writes that he died in Sha'bān of that year (September–October 1548). Âşık Çelebi, however, writes that he died in 958/1551, and both el-Kefevî and Tamîmîzade[196] that he died in 959/1552, el-Kefevî reinforcing the date by the explicit statement that he died nine years after the occasion on which el-Kefevî saw him in Bursa in 950. Atâ'î also mentions the date 959 in his article on Molla Ḥasan Bey, a former client of Kadirî Çelebi's whom the latter had made the executor of his estate.[197] Atâ'î writes that when Kadirî Çelebi died in 959, Hasan Bey went to fulfil his duties (as executor); but whether he is depending on independent evidence from Hasan Bey's career or simply on the date given by el-Kefevî (or Tamîmîzade or perhaps some other source) for Kadirî Çelebi's death is not clear. A marginal note in one manuscript of Müstakimzade gives the following chronogram, supposedly for Kadirî Çelebi's death: قادرینك شاد اولا روحی ابد under which is written 955.[198] The chronogram in fact works out to 959, however; and on the assumption that the text is sound, it would seem that *a* Kadirî, whether the present one or not, died in 959. The *Sicill-i Osmanî* has a very short notice on an 'Abd al-Ḳādir (Kadrî Efendi), a poet and scholar of İsparta who died in 959.[199] This is probably the same man as the Kadirî in Âşık Çelebi referred to above (n. 179), but unfortunately Âşık Çelebi gives no indication of when he died. It seems possible that the disagreement among the sources over

[195] Mecdî, 442:

روحنه رحمت اوله and کچدی اول فاضل

The first chronogram in fact works out to 985, but it is given in Müstakimzade (f. 8b) as کچدی او فاضل and so appears in later authors. It should be noted, of course, that there is no internal evidence in the chronograms to connect them with Kadirî Çelebi.

[196] Tamîmîzade, f. 257b.

[197] Atâ'î, 239–40. el-Kefevî also notes the connection between Hasan Bey and Kadirî Çelebi (and in fact appends a short biography of the former to that of the latter) but gives a rather more unfavourable view of him than does Atâ'î: 'And it is said that [Kadirî Çelebi's] client, Molla Hasan Bey, took his *ta'līḳāt* and *rasā'il* and the best of his books and concealed them so that he might claim them as his own work (*li-yantaḥilahā*).' (f. 402b.) Atâ'î (p. 240) merely comments on Hasan Bey's passion for collecting books.

[198] Süleymaniye–Hafid Efendi 241, f. 12a.

[199] *SO*, iii, 345.

Kadirî Çelebi's death date results from the confusion of one Kadirî with another; but however that may be, the near agreement of Âşık Çelebi, el-Kefevî and Tamîmîzade—the first two, of course, contemporary with Kadirî Çelebi—on 958–9 is persuasive and suggests that in relation to Kadirî Çelebi the Müfti, Taşköprüzade, despite his nearness to events, is wrong. Âşık Çelebi and Mecdî write that Kadirî Çelebi was buried in the cemetary enclosure of his *mescid* and medrese in Bursa.

Fenârîzade Muhyiddin Çelebi

Kadirî Çelebi was followed in the office of Müfti by Molla Muḥyi 'l-Dīn Muḥammad b. 'Alī b. Yūsuf Bālī b. Shams al-Dīn al-Fenārī (Fenârîzade Muhyiddin Çelebi),[200] the great-grandson of Molla Fenârî, who, as has been seen, is traditionally held to have been the first Müfti. Mecdî has confused the matter of Muhyiddin Çelebi's descent by giving his name as Molla Muhyiddin Çelebi b. Mehmed b. Ali ..., which has led certain later authors to conclude that he was the son of Molla Muḥyi 'l-Dīn Muḥammad Shāh b. 'Alī b. Yūsuf Bālī b. Shams al-Dīn al-Fenārī (Fenârîzade Mehmed Şah).[201] Sehî, however, who was writing while Muhyiddin Çelebi was still alive, says that he was the younger brother of Mehmed Şah; and a number of documents signed by Mehmed b. Ali el-Fenârî dating from 930 and subsequent years[202] —Mehmed Şah having died in 929—appear to provide incontrovertible evidence that Muhyiddin Çelebi was the son of Ali b. Yusuf el-Fenârî and therefore the brother, not the son, of Mehmed Şah. Their mother was the daughter of Shaykh Abu 'l-Khayr b. Shaykh Jazarī.[203]

Of the biographical sources on Muhyiddin Çelebi, only el-Kefevî and Müstakimzade give any information of possible value relative to the date of his birth,[204] writing that he was near eighty when he died: since he died in late 954/early 1548, this would mean that he was born not long after

[200] Taş, i, 603–6; Mecdî, 387–9; Sehî, 29–30; Latîfî, 307; Âşık Çelebi, ff. 119a–b; *Katā'ib*, ff. 394a–b; Müstakimzade, f. 9a.

[201] For Mehmed Şah, see Taş, i, 601–3; Mecdî, 386–7. The later sources who name Mehmed Şah as Muhyiddin Çelebi's father are Rifat Efendi, 21; *İS*, 367; Danişmend, ii, 432; Altunsu, 25; and Baltacı, *O. Med.*, 168.

[202] The earliest of this particular series of documents in Barkan/Ayverdi—which almost certainly were signed by Muhyiddin Çelebi as Rumeli kazasker—is doc. 715, dated early Jumādā I 930/mid-March 1524, while the last is doc. 40, dated late Ramaḍān 943/early March 1537. References to two of these documents (docs. 603, 2499) are also found in Gökbilgin, *EPL* (pp. 489, 381: these two references, as well as the following one, are incorrectly listed in the index under Mehmed b. Ali Cemâlî (Fenârî)), as is a reference to a third (*EPL*, 525), dated 932/1526, which identifies Mehmed b. Ali el-Fenârî as kazasker of Rumeli.

[203] Müstakimzade, f. 9a. Cf. Taş, i, 105; Mecdî, 64; *Katā'ib*, f. 381b.

[204] Both Rifat Efendi (p. 22) and *İS* (p. 367) say that Muhyiddin Çelebi was born in 751/1350 ('corrected' in Altunsu, 25, to 851/1447), but they are obviously confusing him with his great-grandfather.

874/1469–70. A slightly later birth date is suggested by two statements associating the birth of Mehmed Şah and Muhyiddin Çelebi with the period of their father's (first) kazaskerlik, namely the specific statement in the *Shaḳā'iḳ* that Mehmed Şah was born while his father was kazasker; and second, the statement that when Ali b. Yusuf el-Fenârî was removed from the kazaskerlik (on the first occasion), pensions were given to his elder and younger sons.[205] Kâtib Çelebi appears to be the first to assign dates for Ali b. Yusuf el-Fenârî's first kazaskerlik, giving 878 to 881 (1473–7), some degree of support for which is found in a document in Barkan/Ayverdi which is signed by him as, apparently, the single kazasker and which is dated mid-Şafar 878/mid-July 1473.[206]

A still later date is suggested by the unusually specific statement in Mecdî's biography of Mehmed Şah that that scholar died in 929 (1522–3)—a date accepted by all the sources—at the age of forty-six: Taşköprüzade, who gives the same date of death, is not specific about Mehmed Şah's age at his death but remarks in another context that he died while a young man (*shābb*). The statements of el-Kefevî and Müstakimzade are not irreconcilable with those relating the births of Ali b. Yusuf el-Fenârî's sons to his first kazaskerlik, and these could be taken together to suggest a birth date for Muhyiddin Çelebi in the mid-to-late 870s. The information in Mecdî about Mehmed Şah's age at his death, on the other hand, produces a birth date of about 883/1478–9 for him and—if Sehî is right that Muhyiddin Çelebi was Mehmed Şah's younger brother—of perhaps the middle 880s for Muhyiddin Çelebi. There seems to be no decisive evidence to settle the point one way or the other, though one might, perhaps, in the absence of firmer evidence, be inclined to give weight to the unusually specific statement in Mecdî.

Both the brothers seem to have been the recipients of the largesse of the sultan, though there is some confusion about the details. According to the article on Ali b. Yusuf el-Fenârî in the *Shaḳā'iḳ*, when that scholar was removed from the kazaskerlik, he was given a pension of 50 akçe daily and 10,000 akçe yearly, his elder son was given 50 akçe daily, the younger son 40 akçe, and the kadılık of İnegöl—presumably the income therefrom—was made an addition to their pensions. In the article on Mehmed Şah, however, it is stated that Mehmed II appointed 30 akçe a day for him from the day of his birth and that this was later raised to 50 akçe a day by Bayezid II after Ali b. Yusuf el-Fenârî's death (no mention of a pension is made in the article on Muhyiddin Çelebi). Nevertheless, the fact that they did receive a pension,

[205] Taş, i, 601, 281; Mecdî, 386, 200.

[206] Kâtib Çelebi, *Takvim*, 187–8; Barkan/Ayverdi, doc. 269. Taşköprüzade and Mecdî give no dates but claim that he held the office for ten years in the reign of Mehmed II. It might be noted that *SO* (iv, 342) gives 877/1472–3 for Mehmed Şah's birth, a date not out of line with the statement that he was born while his father was kazasker, but I have found no other evidence to support such a dating.

whatever the amount, is consistent with other manifestations of favour shown toward the descendants of Molla Fenârî.[207]

About certain aspects of Muhyiddin Çelebi's studies there is also some confusion. Taşköprüzade writes that he studied in his youth under his father and that after the latter's death he studied under Molla Hatibzade and then under Molla Efdalzade. The confusion about this statement results from the fact that Taşköprüzade gives, rather tentatively, the date 903/1497–8 for Ali b. Yusuf el-Fenârî's death—a date which has been accepted by the later sources—while giving 901/1495–6 for Hatibzade's death.[208] There seem to be three possible answers to the problem thus posed: that Ali b. Yusuf el-Fenârî's death date is wrong; that that of Hatibzade is wrong; or that Muhyiddin Çelebi went to study under Hatibzade before his father's death. It may be, of course, that all three answers are valid; but the only fact about which there appears to be any uncertainty in the sources is Ali b. Yusuf el-Fenârî's death date. In the manuscript of Taşköprüzade, the passage concerning his death reads: 'He died in 903, approximately, but not exactly', while the same passage in the printed text reads: 'He died ... in 903, approximately; and the truth is that he died in 901 [1495–6].' The latter statement is almost certainly a later addition to Taşköprüzade's original text since el-Kefevî, Mecdî and Sa'deddin take no cognizance of it. If the fact given in the addition is correct, however, it does offer a possible solution to the present dilemma, though Muhyiddin Çelebi could thus have studied for only a very short time under Hatibzade.

That he was studying under Hatibzade in 901/1495–6 seems to be indicated by the story, related below (n. 266), about his visit to Bayezid II with Hatibzade, since Efdalzade, who was Müfti at the time of the incident described in the story, only succeeded to the office in 901. Muhyiddin Çelebi must have taken up his studies with Efdalzade in the same year, very possibly on the death of Hatibzade; and it is worth noting that he must thus have studied under Efdalzade when the latter was Müfti, though whether he did

[207] Uzunçarşılı (*İT*, 71–2) writes that the sons and grandsons of Molla Fenârî were given 40-akçe medreses for their first appointments and refers to an incident recorded in Atâ'î, 32, which occurred in 939/1532–3, in which Muhyiddin Çelebi, as Rumeli kazasker, is represented as having been angered by a request to make an initial medrese appointment at the 40-akçe level partly because 'being given a 40-akçe medrese as an initial appointment had until then been reserved for the descendants of Fenârî'. Ali b. Yusuf el-Fenârî was first given the Manastır medrese in Bursa with 50 akçe a day, though it must be noted that he had already become a müderris during his sojourn in Samarkand (Taş, i, 280; Mecdî, 199–200). His son, Mehmed Şah, was likewise appointed first to the Manastir medrese with 50 akçe, the same amount as the pension he was then receiving; and Muhyiddin Çelebi was first appointed to the Hadım Ali Paşa medrese, according to Âşık Çelebi with 40 akçe a day (cf. Barkan/Ayverdi, doc. 395, Hadım Ali Paşa's *vakfiye*, dated 915/1509, which lays down that the müderris should receive 40 akçe a day), which may also reflect the amount of the pension he was receiving at the time.

[208] For Ali b. Yusuf el-Fenârî's death date, see Taş, i, 286–7 (but see also below in the text); Mecdî, 204; *Katā'ib*, f. 382b; Sa'deddin, ii, 503; *SO*, iii, 487; and for Hatibzade's, Taş, i, 235; Mecdî, 171; *Katā'ib*, f. 376a; Sa'deddin, ii, 484.

so at a medrese or privately is not made clear. Taşköprüzade relates from Muhyiddin Çelebi himself that he studied for a long period under Efdalzade, whose extraordinary memory he praises.[209]

Mecdî, while following Taşköprüzade's account of Muhyiddin Çelebi's teachers, adds that Muhyiddin Çelebi, having become *mülâzım* from Hatibzade, then went on to receive his first medrese appointment, at the Ali Paşa medrese in Istanbul. Though this appears to ignore his study under Efdalzade—or at least the clear statement in Taşköprüzade that he studied under Efdalzade after studying with Hatibzade—it is not necessarily at odds with what Taşköprüzade says since Muhyiddin Çelebi might well have continued his studies while waiting for a post, as *mülâzım*, or even while holding a post. If Mecdî is right, it would mean that Muhyiddin Çelebi attained *mülâzım* status not later than, and very possibly in, 901/1495–6, a possibility that ties in neatly with what little of a factual nature is known about his medrese appointments.

The sources are agreed that he was first appointed to the medrese of the vezir (Hadım) Ali Paşa (the Atik Ali Paşa medrese) in Istanbul, then to the Sultan medrese in Bursa, and finally to the Sahn. With regard to the first appointment, the only source to give additional information is Âşık Çelebi, who writes that when the Grand Vezir Hadım Ali Paşa built his medrese, he made Muhyiddin Çelebi the first appointee to it with a daily salary of 40 akçe. Though the medrese itself is undated, the Atik Ali Paşa mosque near which it stands carries the date 902/1496–7; and it may well be, as Baltacı suggests, that the medrese was completed at or about the same date:[210] a date of 902 or thereabouts for Muhyiddin Çelebi's first appointment would accord very well with a date of 901 for his having become *mülâzım*. Against so early a date for his first appointment, however, is the fact that he appears not to have been appointed to the Sahn until some seventeen years later, in 919/1513–14,[211] and would thus have spent what seems an unusually long time for so well-connected a scholar in the 40-akçe and pre-Sahn 50-akçe medreses. TS/D5781 shows him to have been then (921–2/1515–16 ?) at the Sahn.

After teaching at the Sahn, Muhyiddin Çelebi became successively kadı of Edirne, kadı of Istanbul—the printed text of Taşköprüzade omits mention of these two appointments, but they are given in the manuscript and in all the later sources—Anadolu kazasker and Rumeli kazasker. The earliest source to give a date for his becoming kadı of Edirne is İsmail Beliğ, who writes that he

[209] Taş, i, 270; Mecdî, 193.

[210] Baltacı, *O. Med.*, 157; Ayvansarayı, *Hadikat*, i, 150. One might note here that Âşık Çelebi also says that Muhyiddin Çelebi had been adopted as a son by Hadım Ali Paşa and became Müeyyedzade's son-in-law, neither of which facts is recorded in the other sources.

[211] Baltacı, *O. Med.*, 168, where the author writes that he was appointed in that year to the Çifte Başkurşunlu medrese on the 'Mediterranean' side.

succeeded his brother Mehmed Şah in that post in 925/1519,[212] a date which has been accepted by Müstakimzade and the later sources. Müstakimzade is the first of the sources on Muhyiddin Çelebi's life to give dates for his subsequent three appointments, saying that he became kadı of Istanbul in 926/1520, Anadolu kazasker in 929/1522–3, and Rumeli kazasker in the same year. From the point of view of the biographical sources, the only additional information of significance to be found is that, according to Atâ'î and Kâtib Çelebi, Muhyiddin Çelebi succeeded Abdülvasi Çelebi in all three posts; and that, according to Mecdî (and Atâ'î), Abdülvasi held the kadılık of Istanbul for only two days in 927/1521 before becoming Anadolu kazasker: the deduction from these earlier sources is thus that Muhyiddin Çelebi became kadı of Istanbul in 927 rather than 926.[213]

A certain amount has already been said about the documentary evidence relevant to Muhyiddin Çelebi, which is largely to be found in Barkan/Ayverdi; and, in particular, it has been shown that the 'general post' of the three future Müftis, Sa'dî Çelebi, Kadirî Çelebi and Muhyiddin Çelebi, whereby the last-named became Rumeli kazasker, almost certainly occurred in early 930 and not in 929 as the usually more reliable biographical sources have concluded. The compiler of the index in Barkan/Ayverdi has broken down the list of 50 documents signed by 'Mehmed b. Aliyy'ül-Fenârî' into four groups defined by the dates 921–3, 926–9, 930–8, and 940–3. It seems beyond doubt that the first group pertains to Mehmed Şah as kadı of Istanbul—not only is all the biographical evidence against Muhyiddin Çelebi's having held such high office so early, but Mecdî also explicitly states that Mehmed Şah left the kadılık of Istanbul in 923/1517 to become 'kazasker of the Arab lands'—while the third and fourth groups, which for the present purpose can be taken together, are even more certainly the work of Muhyiddin Çelebi (as Rumeli kazasker) since, as previously noted, there is

[212] İsmail Beliğ, 248. Mecdî (p. 387) writes that Mehmed Şah became kadı of Edirne in 924/1518 and succeeded Kemalpaşazade as Anadolu kazasker in 925/1519. For a document dated Muḥarram 926/December 1519–January 1520, verified (literally 'scrutinized') by 'the kadı of Edirne, Mehmed b. Ali el-Fenârî'—presumably Muhyiddin Çelebi—see M. Erdoğan, 'Osmanlı Mimarisi Tarihinin Otantik Yazma Kaynakları', *Vakıflar Dergisi*, vi (1965), 117 (cf. İnalcık, 'Istanbul' in *EI*², iv, 244b, who says that the document was drawn up by Mehmed b. Ali el-Fenârî).

[213] For Abdülvasi Çelebi, see above, n. 144, and further, Atâ'î, 103; Kâtib Çelebi, *Takvim*, 208, 196, 187. Kâtib Çelebi is, unfortunately, inconsistent about dates, writing in the list of kadıs of Istanbul that Abdülvasi held the post for two days in 926, being then transferred to the Anadolu kazaskerlik, but in the list of Anadolu kazaskers, that, in effect, he succeeded Mîrim Çelebi in 927: it is entirely possible that the former statement is the source for Müstakimzade's 926. See also above, p. 258, for Mecdî's statement that it was in 927 that Kadirî Çelebi succeeded Abdülvasi as kadı of Bursa. One might note here that there are no documents signed by Abdülvasi in Barkan/Ayverdi.

SO (iv, 344) gives 928/1521–2 for Muhyiddin Çelebi's becoming kadı of Istanbul; and while there appears to be no basis for this in the biographical sources on which the author seems largely to rely, the evidence of the documents in Barkan/Ayverdi, cited below, does not rule out such a dating.

unanimous agreement that Mehmed Şah died in 929 (he had at the least ceased to be Rumeli kazasker in that year, as Abdülvasi Çelebi can be shown fairly conclusively to be holding that post in mid-Sha'bān 929: see above, n. 144).

That the signature 'Mehmed b. Aliyy'ül-Fenârî' on the documents recorded in Barkan/Ayverdi applies indiscriminately to both brothers—it is worth noting that the eight facsimile fetvas attributed to Muhyiddin Çelebi in the *İlmiye salnamesi* (pp. 367–75) are signed simply 'Mehmed'—thus appears certain, a fact which raises some difficulty about the evidence of the documents in the group dated 926–9, for all of which period Mehmed Şah was, according to the biographical sources, Rumeli kazasker, and for at least part of which, as has been shown above, Muhyiddin Çelebi was kadı of Istanbul. The twenty documents which fall between the years 926 and 929 may be further subdivided into two groups, the first group consisting of five documents from the seven-month period late Sha'bān 926/early August 1520 to late Rabī' I 927/early March 1521, then, after a year's break, the second group comprising fifteen documents more or less evenly spread over the eleven months between mid-Rabī' I 928/mid-February 1522 and early Şafar 929/late December 1522.[214] In the light of the general consideration that kadıs' signatures occur more regularly than those of kazaskers, and in view of the evidence of the biographical sources, it seems likely that most, if not all, of the second group pertain to Muhyiddin Çelebi as kadı of Istanbul (see also above, pp. 258–9). With respect to the first group, the problem appears to be solved by a set of documents already alluded to (above, p. 218 and n. 68), a more or less continuous run of documents which strongly indicate that Sarı Görez was kadı of Istanbul from at least late Rabī' II 924/early May 1518 to at least early Shawwāl 927/early to mid-September 1521: these provide fairly firm ground both for taking the first group to be the work of Mehmed Şah as Rumeli kazasker and for dating Muhyiddin Çelebi's accession to the kadılık of Istanbul sometime between early Shawwāl 927/early to mid-September 1521 and mid-Rabī' I 928/mid-February 1522, very possibly, in the light of the biographical information on Abdülvasi Çelebi, in the last few months of 927.

As noted previously (above, pp. 258–9), the combined evidence of the biographical sources and the documents suggests very strongly that Muhyiddin Çelebi moved on from the kadılık of Istanbul to the Anadolu kazaskerlik in early 929, perhaps in Rabī' I of that year (January–February 1523: it might be remarked in passing that Mehmed Şah's death may well have been the cause of the 'general post' involving Abdülvasi Çelebi, Muhyiddin Çelebi and Kadirî Çelebi which appears to have occurred at this time); and the *vakfiye* of Süleyman's mother (see above, n. 144) shows him as Anadolu

[214] The two groups are defined by Barkan/Ayverdi, docs. 1248, 338, 1022, and 1431–3. There is then a fifteen-month gap to doc. 715, dated early Jumādā I 930/mid-March 1524, during most of which time Muhyiddin Çelebi was almost certainly holding the post of Anadolu kazasker.

kazasker in mid-Sha'bān 929/late June 1523. It would seem that it was in this capacity that he was charged with the investigation (*taftīsh/teftiş*) of the Grand Vezir Pîrî Mehmed Paşa which led to the latter's enforced retirement on 13 Sha'bān 929/27 June 1523. Muhyiddin Çelebi comes out rather badly in the accounts of this investigation, which seems to have resulted from the machinations of the vezir Hâin Ahmed Paşa who was ambitious to become Grand Vezir and who accused Pîrî Mehmed Paşa of, among other things, taking bribes to set free certain Egyptians who had been deported from Egypt to Istanbul in the time of Selim I. Disappointed in his expectations when Süleyman gave the office of Grand Vezir to İbrahim Paşa, Hâin Ahmed Paşa went off to Egypt where he later launched his rebellion and earned his sobriquet. Peçevî's comments on Muhyiddin Çelebi's part in the affair are worth quoting: '[After the investigation had been ordered,] because Fenârîzade Muhyiddin Çelebi was kazasker, he became the *müfettiş*. Deceived by Ahmed Paşa's false promises and enamoured of the regard he would be shown should Ahmed Paşa, in line with custom, become Grand Vezir, he decided a number of points [in a manner] contrary to the şeriat, so ruining himself in this world and the next.'[215]

If the story of Muhyiddin Çelebi's having been in league with Hâin Ahmed Paşa to bring down Pîrî Mehmed Paşa is true, it is possible that the intransigent attitude he adopts toward the Grand Vezir İbrahim Paşa in a story related by el-Kefevî may result at least partly from his own disappointed hopes. el-Kefevî's story is worth giving in some detail not only because it suggests a measure of hostility between Muhyiddin Çelebi and İbrahim Paşa but also because it sheds light on an interesting legal point, namely the status in law of a product of the slave institution like İbrahim Paşa. According to el-Kefevî, Muhyiddin Çelebi was hearing a case one day in the imperial divan and delayed giving the judgment in order that the truth of the matter might be fully established. İbrahim Paşa had knowledge of the case and said to Muhyiddin Çelebi that the truth was clear, that he himself bore witness to it and that there was no cause for delay, to which Muhyiddin Çelebi replied that İbrahim Paşa's testimony was not acceptable under the şeriat because he was an unmanumitted slave. Horrified, İbrahim Paşa went to Süleyman, complaining that Muhyiddin Çelebi had destroyed his good repute, an act which, he said, reflected on the sultan himself since the good repute of his

[215] Peçevî, i, 79. See also Celâlzade, *Tabakat*, f. 110a (the text is corrupt at one point, but may be made good from Danişmend, ii, 95), where the author is not quite as explicit as Peçevî about Muhyiddin Çelebi's ambitions but is no less critical of him; Danişmend, ii, 95–6, and the sources quoted therein; and Ş. Turan, 'Pîrî Mehmed Paşa' in *İA*. For Hâin Ahmed Paşa, see Halil İnalcık, 'Aḥmad Pasha Khā'in' in *EI²*. One might recall here the criticisms of Muhyiddin Çelebi made by Celâlzade Mustafa and Peçevî in connection with the trial of Kabız (see above, pp. 234–5), though there the accusation is of incompetence and vainglory rather than of venality. One ought also perhaps to note that Celâlzade Mustafa's close ties to Pîrî Paşa (see Kerslake, 'The Selīm-nāme of Celāl-zāde Muṣṭafā Çelebi ...', cited above, n. 54) may well have coloured his attitude generally towards Fenârîzade Muhyiddin Çelebi.

slaves, the vezirs, was as his own. Süleyman, however, answered that the matter was one ordained by law, that Muhyiddin Çelebi was a speaker of the truth, firm in the Faith, and that he, Süleyman, dared not interfere. He did, however, free İbrahim Paşa, whereupon the latter returned to the divan with that news and demanded that his testimony be accepted. Muhyiddin Çelebi again refused, saying that he had only İbrahim Paşa's word concerning his manumission and that he must have confirmation from the sultan; and so saying, he entered into the sultan, obtained confirmation of the fact that he had freed İbrahim Paşa, and drew up a document of manumission. The next day he gave the document to İbrahim Paşa in the presence of the notables at the divan, saying that his testimony was now acceptable. About this last action el-Kefevî comments: 'And this [i.e. his humiliating İbrahim Paşa by giving him his document of manumission in the presence of the divan] was an odder piece of daring than the first [i.e. his having raised the matter of İbrahim Paşa's status in the first place].'[216]

While it is certainly possible to interpret Muhyiddin Çelebi's action as a deliberate attempt to humiliate İbrahim Paşa, this motivated, perhaps, by disappointed ambitions, one ought at the same time to note that his attitude in the matter calls to mind what obviously struck Taşköprüzade as a notable feature of his character. In a frank assessment, Taşköprüzade, noting his deep piety, goes on to say: 'He was extremely guarded in respect of the rights due from man to man (*ḥuḳūḳ al-'ibād*). And because of that he was circumspect in his dealings with people to the point that, because of his extreme caution, he often reached the edge of over-scrupulousness (*ḥadd al-waswasa*).' Mecdî embellishes the characterization considerably—he notes among other things that nothing (lit. 'no one') touched Muhyiddin Çelebi's hand save the rosary and the staff (*'aṣan*); that he never bowed to anything other than the *miḥrāb*; and that he never looked at strangers—and amplifies Taşköprüzade's comment on his over-scrupulousness by saying: 'Because he was so careful ..., some of his acts reached the edge of over-scrupulousness; and for that reason some of the scum of the earth, Satan's apes, used to find a

[216] *Katā'ib*, f. 394b. A text and translation of the anecdote, as well as comment on the legal point—essentially that it is clear from the story that even the highest ranking members of the slave institution were at this period still technically slaves but that it is also implicit that Ottoman legists tended normally not to make an issue of their status—is to be found in the present author's 'A further note on the *devshirme*', *BSOAS*, xxxi (1968), 137–9.

el-Kefevî goes on to relate that İbrahim Paşa, deeply grieved by this treatment, resolved to revenge himself on Muhyiddin Çelebi. He induced Süleyman to order that the kazaskers should eat at the same table as the vezirs in the divan, arguing that the business of the divan could thus be facilitated and that such had, in any case, been former practice. When, in accordance with this order, the kazaskers were invited to join the vezirs, the Anadolu kazasker, Kadirî Çelebi, did so, but Muhyiddin Çelebi refused, saying that he was fasting. For two months Muhyiddin Çelebi was invited, and for two months he gave the same answer; and finally, the sultan, realizing the extent of Muhyiddin Çelebi's determination in the matter, rescinded the order. See generally Uzunçarşılı, *Merkez*, 235–6, and cf. Dilger, 21.

way to attack him, saying that he was over-scrupulous in all he did.' While the thrust of the comments is essentially toward his private rather than his public persona, it may be, in the light of these, that the proper interpretation of the incident is that İbrahim Paşa was not the direct victim of a deliberate attempt by Muhyiddin Çelebi to humiliate him so much as the incidental victim of what appears to have been Muhyiddin Çelebi's characteristically excessive attention to the strict proprieties, combined with a perhaps unintended tactlessness.

As has been noted previously, Muhyiddin Çelebi had become Rumeli kazasker early in 930, perhaps in Şafar of that year (December 1523–January 1524: see above pp. 241–2, 258–9, 263) and was removed from the kazaskerlik, together with Kadirî Çelebi, on 15 Rabī' II 944/21 September 1537 for reasons which are not entirely clear (see above, pp. 259–60). He was given a pension of 150 akçe a day; and at some point after his dismissal he performed the pilgrimage and remained a year in Mecca in pious retirement, a fact not mentioned by Taşköprüzade but given by both Âşık Çelebi and Mecdî. Though possibly discounting his part in bringing about the Grand Vezir Ayâs Paşa's death, as related above, one may perhaps accept the fact that he was in Mecca when Ayâs Paşa died, on 26 Şafar 946/13 July 1539. Mecdî says that he busied himself with teaching *tafsīr* and that until his death he was engaged in writing on that subject but never completed his work.

According to Taşköprüzade, Muhyiddin Çelebi's pension was increased during his retirement from 150 akçe to 200 akçe a day; and Mecdî adds in his *tezyil* the information that this increase was given to Muhyiddin Çelebi by way of consolation (*tesliyet*) on the accession of Kadirî Çelebi to the Müftilik, Kadirî Çelebi having been his colleague as kazasker—in fact his junior colleague—and now having overstepped him. When Kadirî Çelebi resigned from the Müftilik, Muhyiddin Çelebi succeeded him: as noted above, there seems no sure ground for deciding whether the former's resignation, or the latter's accession, occurred in 948/1541–2 or 949/1542–3, though the weight of evidence perhaps favours the later date.

Taşköprüzade writes that he subsequently abandoned teaching and the Müftilik and, retiring with a pension of 200 akçe, devoted himself to teaching *tafsīr* and writing in that field, that is, carrying on the activities which Mecdî says he began during his period of retirement before his appointment to the Müftilik. Taşköprüzade's terse statement that 'he abandoned teaching and the office of Müfti' conceals an interesting point brought out by Atâ'î, namely that while Müfti—perhaps, indeed, even when he became Müfti—he gave up the teaching at the Bayezid II medrese in Istanbul, a duty which, it will be remembered, Bayezid II had entrusted to the Müfti—to Ali Cemâlî and his successors—at the founding of his medrese (see above, pp. 208–10). His place was taken by Molla Aḥmad b. Muḥammad, known as Samsunizade, who was given a salary of 100 akçe a day and who continued to teach there until the retirement of Muhyiddin Çelebi from the Müftilik, when,

with the accession of Ebüssu'ûd Efendi, the müderrislik reverted to the Müftilik.[217]

Though el-Kefevî writes that Muhyiddin Çelebi retired from the Müftilik in 951/1544–5, the other sources on both Muhyiddin Çelebi and Ebüssu'ûd Efendi are agreed that the former retired from, and the latter was appointed to, the Müftilik in 952/1545–6. About the month in which this occurred there is some disagreement, Atâ'î in several places advancing Sha'bān 952/October–November 1545, while Müstakimzade gives Jumādā I 952/July–August 1545.[218] Any doubts about the year or the month would appear to be settled, however, by the extraordinarily specific date given by Tamîmîzade for Çivizade's succeeding Ebüssu'ûd Efendi as Rumeli kazasker, namely 22 Sha'bān 952/29 October 1545 (see above, p. 253): there seems to be no reason not to accept that Muhyiddin Çelebi resigned, and Ebüssu'ûd Efendi became Müfti, if not on that day, no more than a few days before.

There is no disagreement over the fact that Muhyiddin Çelebi died in 954/1547–8 and only a marginal difference between the two early sources who give a more specific date, Âşık Çelebi writing that he died in the middle of Dhu 'l-Ḳa'da of that year and Mecdî that he died at the rising of the sun on Sunday 26 Dhu 'l-Ḳa'da 954 (7 January 1548, which date, however, fell on a Saturday). He was buried in the environs of the Eyüp mosque, the exact location of his grave being given by Müstakimzade.

Ebüssu'ûd Efendi

Muhyiddin Çelebi was succeeded as Müfti by perhaps the most renowned of Ottoman scholars, Molla Abu 'l-Su'üd b. Muḥammad b. Muṣṭafā al-'Imādī (Ebüssu'ûd Efendi).[219] He was the son of Shaykh Muḥyi 'l-Dīn Muḥammad al-Iskilībī (Şeyh Muhyiddin İskilibî), who won the favour of Bayezid II and for whom that sultan built a *zaviye* in Istanbul (see above, pp. 221–2). Ebüssu'ûd Efendi also seems to have been connected in some way with the

[217] Atâ'î, 145–6. Cf. Âşık Çelebi (f. 119b), who writes that Muhyiddin Çelebi became Müfti with 250 akçe *medresesiz*, that is, presumably, without counting in the 50 akçe a day given to the Müfti in respect of his teaching at the Bayezid II medrese.

[218] Atâ'î, 145–6, 184; Müstakimzade, f. 9b. Rifat Efendi gives both dates, writing in his article on Muhyiddin Çelebi that he retired in Jumādā I 952 (p. 23) and in his article on Ebüssu'ûd Efendi, in a passage taken directly from Atâ'î, that that scholar succeeded Muhyiddin Çelebi in the Müftilik in Sha'bān 952 (p. 24).

[219] As Taşköprüzade (d. 968/1561) died some years before Ebüssu'ûd Efendi (d. 982/1574), neither he nor Mecdî includes a biography of him. Three sources contemporary with Ebüssu'ûd Efendi have been used: el-Kefevî (*Katā'ib*, ff. 403a–410b); Mank Ali, 438–65; and a comparatively brief notice in Âli, TY 5959, ff. 476a–b. More detailed than these in respect of the facts of Ebüssu'ûd Efendi's life is the article on him in Atâ'î, 183–8. See also Müstakimzade, ff. 9a–10a; Rifat Efendi, 23–6; *OM*, i, 225–6; M. Cavid Baysun, Ebüssu'ûd Efendi' in *İA*; J. Schacht, 'Abu 'l-Su'üd' in *EI*²; Bilmen, 384–5.

For a discussion of the *nisba* al-'Imādī and the name Muḥammad often added to Ebüssu'ûd Efendi's name in the sources, see Baysun, 92b, 97b.

family of the famous mathematician and astronomer Ali Kuşçu, though there is some confusion about whether this connection was on his mother's or his father's side. One of the most valuable sources concerning Ebüssu'ûd Efendi's early life is an *icazetname* which he wrote for one Shaykh 'Abd al-Raḥmān b. Shaykh Jamāl al-Dīn al-Merzifūnī (d. 971/1563–4), known as Şeyhzade,[220] which is quoted by both Mank Ali and Atâ'î and in which Ebüssu'ûd Efendi gives his own academic credentials. He mentions in the course of this that his father was licensed by Ali Kuşçu who, according to the text in Mank Ali, was the paternal uncle of Ebüssu'ûd Efendi's mother (*'amm wālidatī*), but according to the text in Atâ'î, was the paternal uncle of Ebüssu'ûd Efendi's father (*'amm wālidī*). Baysun seems to have made use only of the version of the text in Atâ'î and therefore concludes that Ali Kuşçu was the brother of Ebüssu'ûd Efendi's grandfather, Muṣṭafā al-'Imād. Relying on a statement in Âli that Şeyh Muhyiddin İskilibî was Ali Kuşçu's son-in-law and a statement in Atâ'î that Ebüssu'ûd Efendi was 'the rightly-guided grandson' (*sıbt-i reşid*) of Ali Kuşçu, he further concludes that Şeyh Muhyiddin İskilibî's wife and Ebüssu'ûd Efendi's mother, Sultan Hatun, was the daughter of Ali Kuşçu: in other words, that Şeyh Muhyiddin İskilibî married his first cousin on his father's side.

Mecdî, however, without referring to the *icazetname*, writes in his *tezyil* on Şeyh Muhyiddin İskilibî that he was licensed to transmit *ḥadīth* by Ali Kuşçu and that he married the daughter of Ali Kuşçu's brother. This would mean, of course, that Ali Kuşçu was the paternal uncle of Ebüssu'ûd Efendi's mother, which accords with the version of the text of the *icazetname* given in Mank Ali; and Mecdî's statement would thus seem to indicate the strong probability that the version of the text in Mank Ali is the correct one.

Concerning the date of his birth there is disagreement among the three earliest sources, el-Kefevî writing that he was born at the beginning of the tenth century, Mank Ali that he was born in 898/1492–3, and Atâ'î that he was born on 17 Şafar 896/30 December 1490. To these dates yet another is added by a marginal note in one manuscript of Müstakimzade,[221] namely 19 Şafar 897/22 December 1491, a date mentioned together with Atâ'î's by Rifat Efendi. The majority of later sources have preferred Atâ'î's date;[222] and there are in favour of it the points that Atâ'î seems to be the earliest author to give an exact date and that he also says that Ebüssu'ûd Efendi died on 5

[220] Mank Ali, 258–64; Atâ'î, 82–3. The *icazetname*, hereafter referred to as such, is included in these biographies: Mank Ali, 262–3; Atâ'î, 83.

[221] Süleymaniye–Hafid Efendi 241, f. 13a: the writer says that it was a Tuesday (*şeb-i çarşamba*), but the *Çevirme kılavuzu* shows it to have been a Thursday.

One might note here that Süleymaniye–Aşir Efendi 251 has in the margin of f. 9b a genealogy which shows Ali Kuşçu as the brother of Ebüssu'ûd Efendi's paternal grandfather.

[222] e.g. *SO*, i, 169; *İS*, 372; Baysun and Schacht. The *hijrī* date '17 safer 898' given by Baysun is shown to be a misprint by the *milādī* equivalent but has unfortunately made its way into the very brief biography of Ebüssu'ûd Efendi in Düzdağ, 22–3.

Jumādā I 982/23 August 1574 when he was entering his eighty-seventh year, though whether this last fact was known independently to Atâ'î or was simply deduced from the birth date he gives is not clear.

In regard to his place of birth, Mank Ali writes that he was born in a village near Istanbul, one of the estates (*khawāṣṣ*) of the *evkaf* of the *zaviye* which Bayezid II had built for Şeyh Muhyiddin İskilibî, while Atâ'î says that he was born in Müderris köyü near Istanbul. The two statements are not necessarily in conflict since Müderris köyü, which was so named when it was given as freehold (*mülk*) by Mehmed II to Ali Tûsî,[223] may have formed part of the *evkaf* of the *zaviye* of Şeyh Muhyiddin İskilibî. Bursalı Mehmed Tahir rejects the tradition that Ebüssu'ûd Efendi was born in Müderris köyü and says that according to 'the *risale* setting forth those buried in the environs of Eyüp', he was born in his father's *zaviye*. Baysun, however, making use of Ebüssu'ûd Efendi's *vakfiye*, apparently in private hands,[224] says that it is there recorded that he was born in İskilip: on the assumption that the document is genuine, one must conclude that the early sources are in error on this point.

As noted above, the best source for Ebüssu'ûd Efendi's education is his own account given in the *icazetname* for Şeyhzade, according to which he was licensed by his father, by Müeyyedzade and by Molla Seyyidî Mehmed b. Mehmed.[225] Though Mank Ali, Âli and Atâ'î, in their biographies of Ebüssu'ûd Efendi, identify this scholar as Seyyidî Çelebi (Muḥyi 'l-Dīn Sayyidī Muḥammad b. Muḥammad al-Ḳojawī), he is identified by el-Kefevî and Baysun, apparently independently, as Molla Seyyidî Karamanî (Kürz (?) Seyyidî).[226] Ebüssu'ûd Efendi's statement that Molla Seyyidî Mehmed b. Mehmed was licensed by 'the Molla known as Hasan Çelebi, the *muḥashshī*

[223] Taş, i, 158; Mecdî, 117. Taşköprüzade writes that it is 'the nearest of the villages to Istanbul', but Bursalı Mehmed Tahir (*OM*, i, 125) says that by his time (early twentieth century) the location of it was not known.

Cf. Erk (p. 117), who claims that 'Müderris köyü' is a miscopying of Meteris köyü, a village near Istanbul. He makes an interesting case for this having been Ebüssu'ûd Efendi's birthplace, an assertion which, however, appears to be overtaken by Baysun's evidence, referred to below.

[224] Baysun gives no reference for the *vakfiye* at this point in his article (p. 92a), but later, in another connection, he refers to translations of two *vakfiye*s (in Arabic) of Ebüssu'ûd Efendi's, dated 973/1565–6 and 977/1569–70, which, he says, are in the possession of Nurî Bey, one of Ebüssu'ûd Efendi's descendents (p. 97b).

It might be noted that İskilip is given as Ebüssu'ûd Efendi's birthplace in the biography of him (quoted in *al-Fawā'id*, 82) in *al-Nūr al-sāfir 'an akhbār al-ḳarn al-'āshir* by the Indian scholar Shaykh 'Abd al-Ḳādir b. 'Aydarūs (978–1038/1570–1628: see O. Löfgren, "'Aydarūs' in *EI*[2], i, 781a, 4.).

[225] Mank Ali, 262–4; Atâ'î, 83. The books which he read under his father are given in Mank Ali, 439; Atâ'î, 183, this information reportedly coming from Ebüssu'ûd Efendi himself: see also Âli, f. 476a.

[226] For Seyyidî Çelebi and Kürz Seyyidî, see above, pp. 207–8 and nn. 36, 35. Kürz Seyyidî is invariably referred to in the sources as such or as Seyyidî Karamanî, and there is no evidence that his name was Mehmed b. Mehmed.

of the *Sharḥ al-Mawāḳif*' would seem to confirm the identification made by Mank Ali and Atâ'î, since it is mentioned at several points in the *Shaḳā'iḳ* that Seyyidî Çelebi studied finally under Hasan Çelebi and served as his *muid*,[227] while there is no mention that Kürz Seyyidî studied under him at all.

Apparently while still studying under his father, Ebüssu'ûd Efendi came to the attention of Bayezid II and was honoured by him with a daily pension of 30 akçe—termed by Atâ'î a *çelebi ulûfesi*—and with the distinction of being allowed to kiss the sultan's hand in his own right. According to Mank Ali, Âli and Atâ'î, he became *mülâzım* from Seyyidî Çelebi, becoming also, according to the last-named, Seyyidî Çelebi's son-in-law.[228] Atâ'î refers to Seyyidî Çelebi as 'the Anadolu kazasker Seyyidî Efendi', but though it is clear from Seyyidî Çelebi's biography in the *Shaḳā'iḳ* that he was appointed to the office by Selim I (acceded Ṣafar 918/April 1512), it is impossible at the moment to date his tenure precisely (and Atâ'î may, of course, simply mean the title as one of identification). Bursalı Mehmed Tahir states that Ebüssu'ûd Efendi studied under Kemalpaşazade, a statement for which there seems, however, to be no early authority. Rather to the contrary, el-Kefevî, who makes a practice of listing some of the students of each scholar, does not mention Ebüssu'ûd Efendi among Kemalpaşazade's students, as he almost certainly would have if there were any evidence for Ebüssu'ûd Efendi's having studied under Kemalpaşazade, and perhaps even if there were a rumour to that effect.[229] It has been noted above (p. 222) that Müstakimzade says that when Ebüssu'ûd Efendi's father, Şeyh Muhyiddin İskilibî, died (in 920/1514), the headship of his *zaviye* in Istanbul was offered to Ebüssu'ûd Efendi, who refused it. While it is not impossible that Ebüssu'ûd Efendi was offered the succession to his father, there seems to be no evidence in the early sources to support such a statement, and it must therefore be treated with caution.

[227] Taş, i, 446, 289; Mecdî, 315, 205. For Hasan Çelebi (b. Muḥammad Shāh al-Fenārī), see Taş, i, 287–90; Mecdî, 204–6; Kâtib Çelebi, *KZ*, ii, 1891–2.

[228] Mank Ali, 439; Âli, f. 476a; Atâ'î, 184. Baysun writes: "Atâ'î shows Ebüssu'ûd Efendi ... to have been licensed (*icazet almış*) by Mevlânā Sayyidî; but in the *icâzetnâme* ... it is recorded that he was licensed by his father.' (p. 92b.) There is, however, no such conflict between Atâ'î and the *icazetname*, since what Atâ'î says is that Ebüssu'ûd Efendi became *mülâzım* from Seyyidî Çelebi, that is, that he became a candidate for office through him. It is clear from the *icazetname* that he was in fact licensed by all three scholars with whom he studied, this meaning that he was licensed by each for whatever books Ebüssu'ûd Efendi had read under him.

It may be noted here that Rifat Efendi has at this point (p. 24) compressed Atâ'î's account, which in general he reproduces, leaving out the mention of Seyyidî Çelebi, so that it appears that Ebüssu'ûd Efendi became *mülâzım* from, and the son-in-law of, Müeyyedzade.

[229] See the *Katā'ib*, f. 389b. The statement that Ebüssu'ûd Efendi studied under Kemalpaşazade is repeated by a number of modern authors, e.g. Bilmen, 384; Ertan, 53; Altunsu, 28.

Ebüssu'ûd Efendi received his first appointment, to the Çankırı medrese with 25 akçe a day, from the (Anadolu) kazasker Kemalpaşazade in 922/1516—as noted above, Kemalpaşazade became Anadolu kazasker on 14 Sha'bān (12 September) of that year—an appointment, however, which he disdained to accept,[230] perhaps because the salary involved was lower than the 30-akçe pension which he had received from Bayezid II and was presumably still receiving in the time of Selim I. At about this time the müderris of the İshak Paşa medrese in İnegöl, one Bursawī Shams Çelebi,[231] died, and Ebüssu'ûd Efendi was given that medrese with a salary of 30 akçe a day. Some time later he was removed and remained in retirement for ten months before being appointed in 927/1521 to the Davud Paşa medrese in Istanbul with 40 akçe a day in place of Aşçızade Hasan Çelebi (d. 942/1535–6).[232]

There is disagreement between Mank Ali and Atâ'î concerning Ebüssu'ûd Efendi's next appointment, the former writing that he was appointed to the Ali Paşa medrese in Istanbul with 50 akçe while the latter says that he was given the Mahmud Paşa medrese in Istanbul in 928/1521–2 in place of Sa'dî Efendi (Çelebi). While there seems to be no certain way to choose between these two statements, Atâ'î's version seems preferable on the whole, partly because of the specific nature of the information he gives and partly because el-Kefevî, whose account is by no means complete, does none the less mention the Mahmud Paşa medrese as one of those in which Ebüssu'ûd Efendi taught.

He was next appointed at the end of 931/September–October 1525 as the first müderris at the medrese built by the second vezir Mustafa Paşa (d. 935/1529) in Gebze,[233] and then, in 932/1525–6, to the Sultan medrese in Bursa in place of Molla Aḥmad b. Shams al-Dīn, known as Kireççizade (d. 936/1529–30).[234] In 934/1527–8 he succeeded Molla 'Abd al-Laṭīf (d. 939/1532–3 ?) at the Müfti medrese, located on the eastern side of the Sahn,[235] at which he remained for five years until his accession to the kadılık of Bursa in Shawwāl 939/April–May 1533 in place of Aşçızade Hasan

[230] So in Atâ'î. Mank Ali (p. 439) simply says *fa-taraddada fi 'l-ḳabūl*.

[231] I have been unable to find this scholar in the *Shaḳā'iḳ*.

[232] See Taş, ii, 62–3; Mecdî, 457–8. The fact that he taught at the Davud Paşa medrese is mentioned in both Taş and Taş MS., which give no dates, but not in Mecdî. Baltacı (*O. Med.*, 365) writes that he was appointed to one of the Üç Şerefeli in 927/1521, having become müderris in İznik after his tenure at the Davud Paşa medrese (as in Taş).

[233] Cf. Baltacı, who writes that Mustafa Paşa 'caused the architect Sinan to build the medrese in 928/1521–2' (*O. Med.*, 320).

[234] See Taş, ii, 68; Mecdî, 461–2. Again, Mecdî does not mention the Sultan medrese among those at which Kireççizade taught, but both Taş and Taş MS. do mention it.

[235] For 'Abd al-Laṭīf, see Taş, ii, 63–5; Mecdî, 459–60. Taş gives 949/1542–3 as his death date, but Taş MS. gives 938 or 939, and Mecdî, 939. His tenure at the Sahn is not dated, but it is certainly not impossible that he left it in 934.

For the Müfti medrese at the Sahn, see above, p. 181.

Çelebi. The statement that he held the müderrislik at the Sahn for five years would seem to be confirmed by a quotation given by el-Kefevî from one of Ebüssu'ûd Efendi's students, Molla Muḥammad b. 'Abd al-Wahhāb b. 'Abd al-Karīm, known as Abdülkerimzade (d. 975/1568), who says that he studied under Ebüssu'ûd Efendi from the day the latter became müderris at one of the Sahn until the day he became kadı of Bursa and that the period of Ebüssu'ûd Efendi's tenure at the Sahn was five years, neither more nor less.[236]

According to Atâ'î, in Rabī' II 940/October–November 1533, after six months as kadı of Bursa, Ebüssu'ûd Efendi succeeded Sa'dî Çelebi as kadı of Istanbul, which post he held until he succeeded to the Rumeli kazaskerlik on the dismissal of Fenârîzade Muhyiddin Çelebi on 15 Rabī' II 944/21 September 1537: Atâ'î in fact gives Rabī' I as the date for the latter event, but the evidence adduced above (pp. 259, 271) seems decisive on the point. As noted above (p. 242), the documentary evidence relating to Sa'dî Çelebi and Ebüssu'ûd Efendi supports Atâ'î's date, or something very close to it, for Ebüssu'ûd Efendi's becoming kadı of Istanbul; and taking the evidence of the *ruznāme* as decisive on the question of the date of his elevation to the Rumeli kazaskerlik, one finds that of the 155 documents signed by Ebüssu'ûd Efendi listed in Barkan/Ayverdi, 111 are spread evenly throughout his four-year tenure of the kadılık of Istanbul, while another 37 are scattered more sparsely over his eight-year tenure of the Rumeli kazaskerlik. Of the remaining seven documents, three are of particular interest, namely those numbered 1167, 1220 and 1178, dated respectively mid-Jumādā I 937/early January 1531, mid-Muḥarram 938/late July 1531 and mid-Jumādā I 938/late December 1531: the first and third are signed by 'Mevlânâ Ebussuud' as 'Havâs-ı Kostantiniyye kadısı' (kadı of Eyüp), and though no title is mentioned in the second, it may be presumed to have been signed by 'Mevlânâ Ebussuud' in the same capacity. It is entirely possible that the signatory of these documents is another Ebüssu'ûd, known as İbn Bedreddinzade, who, according to Taşköprüzade, 'became kadı in certain cities and then died after 945 [1538–9]';[237] it is equally possible, however, that the signatory is Ebüssu'ûd Efendi, in which case he would appear to have held the kadılık of Eyüp for at least a year in the middle of his tenure at the Sahn. So circumstantial is Abdülkerimzade's account of his period as a student with Ebüssu'ûd Efendi at the Sahn, however, that it would seem to be the case that the latter held the kadılık (if at all) in conjunction with his appointment at the Sahn.[238]

[236] For Abdülkerimzade, one of el-Kefevî's teachers, see Atâ'î, 114–17. He was the grandson of the Abdülkerim who, Atâ'î says, was kazasker and Müfti in the time of Mehmed II (above, pp. 125 et sqq., 150 et sqq.).

[237] Taş, ii, 81–2: there appears to be no biography of this scholar in Mecdî.

[238] Of the remaining four documents for which there is no immediately obvious explanation, two have already been discussed (above, pp. 19, 242 (n. 141)), but the two others (docs. 1743 and 1744), dated early Rabī' I 935/mid-November 1528 and late

After eight years as Rumeli kazasker, during the early years of which period he carried out the reform of the system of *mülâzemet* (see above, pp. 52–3), Ebüssu'ûd Efendi became Müfti, almost certainly on, or very close to, 22 Sha'bān 952/29 October 1545 (see above, p. 272). He was to hold the post with great distinction for nearly thirty *hijrī* years until his death on 5 Jumādā I 982/23 August 1574. His funeral prayers, attended by all the ulema and the vezirs, were performed in the Fatih mosque, led by Molla Muhaşşi Sinan Efendi. He was then buried in the courtyard of a *mektephane* which he had built in the environs of Eyüp. It is an indication of the regard in which he was held that when the ulema of Mecca and Medina heard of his death, they prayed the prayers for an absent person.[239]

Ebüssu'ûd Efendi's activities and accomplishments as Müfti are so many and varied, the literature and documentation both about him and by him relatively so vast, that to attempt a thorough description and analysis of his achievements would require a work in itself. One can do no more here than concentrate on a few aspects of his Müftilik, particularly those concerning which there is sufficient evidence relating to his predecessors to allow comparisons which can help to elucidate the growth—or perhaps more strictly, the changing nature—of the office. These are four in number: his decision-making powers; his salary; the relationship of his Müftilik to the hierarchy of the ulema; and his involvement in the making of appointments in the learned profession.[240]

The fact that Ebüssu'ûd Efendi participated in decision-making over a broad area and to considerable effect is widely attested. Hezârfen, for example, observes that while the majority of Müftis (particularly those close to his own time, the *müteahhirîn*) confined their attention almost entirely to

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Jumādā II 936/late February 1530, are not easily explained. If these are the work of Ebüssu'ûd Efendi and not of İbn Bedreddinzade—there is no difference between the form of the signatures given in the *tahrir defteri* for these documents and that given for documents which must have been signed by Ebüssu'ûd Efendi—they may well represent instances of a kadı's signature being added at a date later than that of the document itself, by Ebüssu'ûd Efendi as kadı either of Eyüp or of Istanbul. It may also be that they are evidence that the tenure of 'Mevlânâ Ebussuud' as kadı of Eyüp extended back to 935.

[239] The details about his death, funeral and burial are to be found in Atâ'î, 185. Atâ'î says that the day of his death was a Sunday, but the *Çevirme kılavuzu* shows it to have been a Monday. el-Kefevî (f. 404a) and Âli (f. 476a) simply give the year of his death, 982, while in Mank Ali (p. 445) there is the statement, in brackets, that he died in the early part of Jumādā I 982: presumably the brackets indicate an addition to the original text. For Muhaşşi Sinan Efendi, see Atâ'î, 248–51. A scholar of great age (eighty-nine *hijrī* years) and distinction, he was at the time müderris at the Süleymaniye Darülhadis.

For a *vakıf* of Ebüssu'ûd Efendi's, see Barkan/Ayverdi, doc. 2494.

[240] In addition to these relatively specific aspects of his Müftilik, one might also note Âli's view on a rather more general point, simply that Ebüssu'ûd Efendi restored stability to the office: 'When the late Şeyhülislâm Sa'dî Efendi died, the affairs of the Müftilik (*emr-i fetva*) fell into disarray, and [the office] passed to many persons in a short time. Finally [Ebüssu'ûd Efendi] became Müfti in [9]52 and occupied that high office for thirty years. ...' (f. 476a.)

problems in *fiḳh*, 'Ebüssu'ûd Efendi was Müfti for a long period, and his custom was to give fetvas on other difficult matters in the sciences (*fünun*) as well as on problems concerned with *fiḳh*'; and Atâ'î, linking Kemalpaşazade and Ebüssu'ûd Efendi, says of them both: 'Truly the effects of their *ijtihād* [here almost certainly "individual reasoning" rather than simply "effort"] was the harmonizing (*tatbik*) of the Ottoman kanuns with the noble şeriat and the ordering of religious and state (*divaniye*) affairs on the best possible basis.'[241]

The clear implication on the one hand of their active participation in the affairs of state, at least in so far as the need arose to reconcile the sometimes conflicting interests of the religious and the secular law, and, on the other hand, of the fact that their judgments were held to be in some sense authoritative are given clearer definition in the case of Ebüssu'ûd Efendi by an extraordinarily interesting passage in the biography of him by his contemporary, el-Kefevî. The latter writes:

> And [Ebüssu'ûd Efendi] had great standing in the *mezheb* and in disputation (*khilāf*); and he had followed the path of *ra'y* [individual reasoning leading to one's own 'sound opinion'] in certain problems.[242] Then he asked Sulṭān Sulaymān Khān al-Ghāzī—may God have mercy upon him—whether he might give fetvas according to what he [Ebüssu'ûd Efendi] deemed appropriate and in line with whichever of the approaches which occurred to him he preferred. And the decree was issued on that basis (*fa-warada al-amr 'alā dhālika*). An example of it [?] is that which will be mentioned, which he submitted[243] [to the sultan] on 9 Rabī' II 957 [27 April 1550]. And he gave fetvas after that date according to his own *ra'y*. The following is a copy of what his noble hand wrote.

There follow the texts of three submissions (*'arḍ*/*arz*) by Ebüssu'ûd Efendi to Süleyman, all three being made, according to el-Kefevî, on 9 Rabī' II 957.

The three submissions, which concern respectively the establishment of a

[241] Hezârfen, f. 138a; Atâ'î, 185. See also Kâtib Çelebi (trans. G. L. Lewis, *The Balance of Truth*, London, 1957, 128), who writes in much the same terms as Atâ'î; and Âli, who says (f. 476b): 'In particular, he gave fetvas pertaining to land (*arazi*). None amongst those who had held the office of Şeyhülislâm had paid such attention [to this subject] or elucidated it [so thoroughly].' On this subject generally, see Heyd, *Criminal Law*, 167 et sqq., especially pp. 183–92.

[242] el-Kefevî has already made this point in a general way as part of the encomium with which the biography begins (f. 403a: the present passage is on f. 408a), saying that if Ebüssu'ûd Efendi could not find a precedent, as it were (*wāḳi'at al-fatwā wa jawābihā*), in any of the standard texts, he would ponder on the approaches which occurred to him, decide which he preferred and write the fetva 'according to his firm opinion (*ra'yihi al-raṣīn*)'. Cf. the similar description of Hocazade's practice as müfti of Bursa in Taş, i, 209.

[243] *minhā mā huwa al-ātī dhikruhu 'araḍahu fī* ... The *-hā* in *minhā* appears to refer in a vague, generalized way to the matters on which Ebüssu'ûd Efendi exercised his *ra'y* and his *tarjīḥ* and has been so understood in the discussion which follows.

statute of limitations; a question under the general heading of *ijāra* (hire and lease) concerning the liability for blood-money on which Abū Ḥanīfa and Abū Yūsuf had taken different views; and a question concerning the acceptability of a *dhimmī* witness in a matter of inheritance, are all included in the *Ma'rūḍāt* (*Mâruzat*) of Ebüssu'ûd Efendi which, according to its introduction, comprises a number of matters on which Ebüssu'ûd Efendi had made submissions to Süleyman, who had then caused decrees to be issued to governors and kadıs instructing them to act as Ebüssu'ûd Efendi had recommended: the decisions thus made are now being submitted to the new sultan (almost çertainly Murad III (982–1003/1574–95))[244] for confirmation or otherwise.

The most comprehensive discussion of the *Mâruzat*, of which a number of versions exist,[245] is to be found in Uriel Heyd's *Studies in Old Ottoman Criminal Law*: it is clear, however, that Heyd was not altogether satisfied as to the character of the work and was planning to carry his study of it further. In the published versions of the work, as well as, apparently, the great majority of the manuscripts, the problems are all cast in fetva form, with almost all of the fetvas being signed by Ebüssu'ûd Efendi.[246] It is entirely possible that it was substantially in this form that the work was submitted to

[244] On the question of the sultan to whom the work was presented, one may note not only the fact that Ebüssu'ûd Efendi, who continued to serve through almost all of the reign of Selim II (974–82/1566–74), is referred to as 'the late' but also the fact that the *MTM* text (see the following note) mentions that the sultanate has become renewed 'with the second renewal (*tecdid-i sanī*)' (i, 337–8), presumably counting from the death of Süleyman and therefore referring to the accession of Murad III. Cf. Horster's generally more scholarly text, however, where the editor has preferred the reading *tecdid-i rabbanī* ('divine renewal': p. 24: see following note).

[245] See *MTM*, i, 337–48, and the much fuller scholarly edition (with introduction, notes and German translation) by P. Horster, *Zur Anwendung des islamischen Rechts im 16. Jahrhundert*, Stuttgart, 1935. For references to other versions (one strikingly close to what el-Kefevî cites), as well as the discussion of the work, see Heyd, *Criminal Law*, 183–5 (where, as it happens, the author also conveniently summarizes, in the middle of p. 185, the second of the submissions in el-Kefevî). Many of the fetvas in Horster's edition are also found in the fetva collections published by F. Selle as *Prozessrecht des 16. Jahrhunderts im osmanischen Reich*, Wiesbaden, 1962.

The three submissions in el-Kefevî are to be found respectively at *MTM*, 346 (*müddei' da'vasını özr-i şer'î yoğiken* ...), 347 (*taife-i kefere icare ile tasarruf ettikleri meyhanede* ...), and 345–6 (*bir zimmi fevt olup* ...); Horster, 56, 58–9, 53–4; Selle, 59 (3.1.), (second not included), 40 (3.1.). There are numerous textual differences among the versions, but perhaps the only one worth separate mention is the fact that in the third submission, the *Katā'ib* has 951 as the date of the decree mentioned therein, while the published versions (and, apparently, all Horster's MSS.) have 950.

[246] Horster's edition contains four signed by others than Ebüssu'ûd Efendi: one signed by 'Mehmed' (p. 55), identified by Horster (p. 93) as Muḥammad al-Shaybānī (but more likely to be Fenârîzade Muhyiddin Çelebi ?); one signed by 'Ahmed' (p. 57), identified by Horster (p. 95) as Aḥmad b. Ḥanbal (but more likely to be Kemalpaşazade ?); one signed by Molla Fenârî (p. 61: 'Mehmed el-Fenârî'); and one signed by Şun' Allāh Efendi (pp. 61–2: first appointed in 1008/1599): it seems virtually certain that this last is a subsequent addition to the original text of the *Mâruzat*.

Murad III since some of the fetvas, at least, conveniently summarize the action taken on a given problem. On one matter, for example, concerning reviling of the Prophet (*sebb-i Nebi*), Abū Ḥanīfa had taken a more lenient approach than the founders of the other three schools (as well as a great many other noted scholars), and an imperial decree had been issued in 944/1537–8 (and reaffirmed by another issued in Muḥarram 955/February–March 1548) instructing kadıs essentially to follow Abū Ḥanīfa if the offender were of good character and truly repentent and to follow the view of the others if he were not. In his answer, Ebüssu'ûd Efendi, having set all this out, states that the kadı should decide what category Zeyd belongs to and act accordingly.[247]

In some cases, however, the casting of the problem in fetva form, whatever the way in which it has come about, patently misrepresents the nature of the text; and it is arguable that the use of the fetva format generally tends to obscure the process by which the decisions were reached. As presented at least in the published texts of the *Mâruzat*, for example, the three problems cited by el-Kefevî are set out as fetvas, the 'question' or 'problem' (*mas'ala/mesele*) sections ending, unusually for a fetva, with some form of *arzolunmak*, the 'answer' (*jawāb/cevap*) sections being signed by Ebüssu'ûd Efendi. From el-Kefevî's version, however, as well as from the form of very similar manuscript material discovered by Heyd and cited in his discussion,[248] it is clear beyond doubt that it is the so-called *mesele* section which has been written by Ebüssu'ûd Efendi—in the case of the third problem, the *Katā'ib* version actually has Ebüssu'ûd Efendi's signature after this section—while the so-called *cevap* section is the sultan's reply.[249]

Further detailed research is needed on the text of the *Mâruzat*, but the distortion of the presentation of these three problems, at least, serves as a reminder that care needs to be taken not to be misled by the form in which the problems have been transmitted so as to lose sight of what is implicit in the title of the work and explicit in its introduction: that most, if not all, of the decisions included in the work, whatever their present form, are ultimately based on *arz* submitted on the initiative, in most if not all cases, of

[247] *MTM*, 341–2 (*bir mecliste keramet ile mu'cizenin farkı nedir* ...); Horster, 33–6. This is also given in the *Katā'ib* as an example of Ebüssu'ûd Efendi's fetvas (*wa min wāḳi'āt al-fatwā*: ff. 407b–408a).

[248] The first submission in the *Katā'ib* begins *kaziye (ḳaḍiyya) budur ki* ... : cf. Heyd, *Criminal Law*, 185.

[249] An interesting problem arises in connection with the first submission in the *Katā'ib*, concerning the statute of limitations, where the sultan's answer as given by el-Kefevî decrees a limit of fifteen years without qualification as to type of case (though it is qualified in the sense first that it applies only where there is no valid legal excuse for the delay and second that it can be set aside in individual cases by a special imperial decree), whereas the answers in *MTM*, Horster and Selle all include a refinement, the effect of which is to establish a ten-year limit in the case of questions to do with *'aḳār* (immovables). It seems possible that in this case the answer is also by Ebüssu'ûd Efendi, perhaps being the answer to a (presumably later) fetva which has been tacked on by mistake to the *arz* rather than to the fetva to which it actually relates.

Ebüssu'ûd Efendi. It seems very likely that these initiatives had an important systematizing effect on Ottoman legal practice, and it is certainly true that Ebüssu'ûd Efendi contributed more than simply the formulation of the problem, often suggesting the course of action to be followed as well. From a purely procedural point of view, however, the crucial point is that in the end the decision belonged to the sultan, if only, again from a purely procedural point of view, because the sultan's decrees were binding upon the kadıs whereas the Müfti's (or a müfti's) fetvas were not.[250]

Reference has already been made to el-Kefevî's detailed discussion of the problem of *waḳf al-nuḳūd* (see above, pp. 254–6) which well illustrates the functioning of the *arz* procedure; and the only point made there which might perhaps be reinforced in the light of the *Mâruzat* is that it was obviously open to at least the Rumeli kazasker, in addition to the Müfti, to submit *arz* to the sultan on points of law since a number of decrees referred to in the work date from the period when Ebüssu'ûd Efendi was Rumeli kazasker.[251] With this background, then, one can turn to the wider implications of el-Kefevî's statement about the sultan's decision to allow Ebüssu'ûd Efendi to give fetvas on the basis of his own 'sound opinion' (*ra'y/rey*). Taşköprüzade's description of Hocazade's practice in giving fetvas, referred to above, and indeed el-Kefevî's statement that Ebüssu'ûd Efendi had been using *ra'y*, suggest that it was not unknown for Ottoman müftis to do so, at least as a last resort; but what may well have been a new departure is the official sanction for its use apparently granted to Ebüssu'ûd Efendi, which sanction would, one would imagine, greatly increase the authority of his fetvas and, indeed, his authority in general.

Both the exact nature and the practical effects of the decision as a result of which, el-Kefevî asserts, Ebüssu'ûd Efendi gave fetvas on the basis of his own *ra'y* after 9 Rabī' II 957 are difficult to identify and assess partly because of the absence of the actual decree said to have been issued on the point and partly because of the lack of like material with which to compare the three *arz* which el-Kefevî chooses to exemplify the apparently striking departure. In at least the first two of the three *arz* quoted, Ebüssu'ûd Efendi is clearly exercising his *ra'y*. In the first, he notes that there is no transmission from the great Imams establishing a statute of limitations and makes a persuasive case for the need for such a statute: the sultan accepts the case and decrees a limit of fifteen years. The second *arz*, as has been noted, concerns a difference of opinion between Abū Ḥanīfa and Abü Yūsuf which

[250] If Baysun's passing comments on the *Mâruzat* (*İA*, iv, 96b; cf. 99a) are to be read as implying that the initiative in the matters raised in the work came from the sultan, they ought, in the present author's view, to be modified in the light of the above.

[251] See, for example, *MTM*, 343 (*kaçkın kulun müddet-i örfiyesi tamam olduktan sonra* ...); Horster, 38–9, in which decrees issued in Ramaḍān 945/January 1539 and 947/1540–1 are mentioned: in the latter case the *arz* was rejected by the sultan. One ought to note that the only real evidence that all the *arz* mentioned in the work were initiated by Ebüssu'ûd Efendi is the strong implication in the introduction to the *Mâruzat* to that effect.

has led to confusion; and here Ebüssu'ûd Efendi expresses a reasoned preference for the latter's opinion, which the sultan adopts. The third notes a conflict between general Ottoman legal practice and a decision by imperial decree in a particular case, which has again led to confusion, and asks for clarification, which is given by the sultan.

The difficulty arises, however, in trying to determine in what way these *arz* are distinguished, either in nature or effect, from previous *arz*, such as that of Çivizade on the question of *waḳf al-nuḳūd*. It may be that the answer is, for example, that in respect both of *arz* and of fetvas Ebüssu'ûd Efendi may have been formally dispensed from the need to cite authorities;[252] but until a systematic comparison can be made between the actual texts of these three *arz* and such others as may come to light, it is impossible to be certain what the departure is that el-Kefevî has in mind.

If it is not entirely clear in what way the *arz* procedure was affected by the sultan's decision, neither is it clear what effect the decision had, first on the actual issuing of fetvas by Ebüssu'ûd Efendi—as suggested, it may be that he was formally dispensed from the need to buttress his own opinion with authoritative texts and further, perhaps, that he was encouraged to venture into areas not treated of in the authoritative texts (cf. Hezârfen's comment, above, p. 279)—and second, on the standing of those fetvas, and thus his standing as Müfti. The role of previous Müftis in the making of decisions on questions of what might broadly be termed important matters of public policy[253] has already been discussed to some extent (see above, pp. 215 et sqq.), and it was there concluded that in such matters the sultan relied upon a consensus of the ulema and that it would be difficult to maintain—though that is not to say that it was not the case—that the Müfti's opinion was decisive or, at least in any discernible formal sense, even particularly influential, a conclusion which appears to be reinforced by the debate over

[252] It certainly came to be the case, if it was not always so, that Müftis did not normally cite legal authorities whereas *kenar* müftis did: see Heyd, 'Fetva', 44–5.

[253] The phrase 'important matters of public policy' involves at least two subjective criteria, the application of which is apt to be arbitrary, but the broad limits of their application may perhaps be defined by a passage from Rycaut (p. 106) which has been influential in shaping the commonly-held view of the Müfti's role in the state:

> In matters of State the *Sultan* demands his [the Müfti's] opinion, whether it be in condemnation of any great man to death, or in making War or Peace, or other important affairs of the Empire; either to appear the more just and religious, or to incline the people more willingly to obedience. And this practice is used in businesses of greatest moment; scarce a Vizier is proscribed, or a *Pashaw* for pretence of crime displaced, or any matter of great alteration or change designed; but the Grand Signior arms himself with the *Mufti's* sentence; ...

Questions like that of *waḳf al-nuḳūd* may properly be included in this category in view of the widespread disruption to the affairs of both government and individuals which would have ensued if the opponents of the practice had succeeded in forcing a permanent, or long-term, change of policy.

wakf al-nuḳūd.[254] Testing el-Kefevî's date 9 Rabî' II 957/27 April 1550 as a possibly significant date in terms of the Müfti's role in matters of public policy, one finds in the subsequent period three such matters with which Ebüssu'ûd Efendi's name is closely linked: the execution of Şehzade Mustafa in Shawwāl 960/November 1553; the decision to treat Şehzade Bayezid essentially as a rebel, this leading ultimately to his defeat at the hands of his brother Selim in Sha'bān 966/late May 1559; and the decision to go to war with the Venetians over Cyprus, the war beginning in Dhu 'l-Ḥijja 977/May 1570.

The case for Ebüssu'ûd Efendi's involvement in the execution of Şehzade Mustafa rests almost entirely on the not readily dismissable testimony of the Imperial ambassador Busbecq, who arrived in Istanbul about a year after the event. Busbecq writes:

> Solyman had brought with him his son's [i.e. Mustafa's] death doom, which he had prepared before leaving home. With a view to satisfying religious scruples, he had previously consulted his mufti. This is the name given to the chief priest among the Turks, and answers to our Pope of Rome. In order to get an impartial answer from the mufti, he put the case before him as follows ...[255]

Busbecq then goes on to give a summary of both question and answer, the latter, he says, greatly influencing Süleyman.

In a thorough scholarly treatment of the later incident involving Şehzade Bayezid, Şerafettin Turan notes that although western sources have attached great importance to this fetva, none of the wide range of (chiefly Ottoman) sources which he has used touches upon it.[256] His own research into the Şehzade Bayezid incident, moreover, has uncovered material which throws doubt not on the fact that Ebüssu'ûd Efendi gave a fetva in the case of Şehzade Mustafa but on the perhaps unintended implication that he was the only one to do so. The material in question is a collection of fetvas entitled 'The fetvas which the Mollas have given in connection with the şehzade named Sultan Bayezid'. It comprises two *mesele*, the first of which lists the offences of Bayezid and asks whether the killing of him and his followers is lawful, while the second, listing the offences of 'a faction' (*bir taife*: here, Bayezid and his followers) in much the same terms, asks whether the killing of those who willingly aid and abet such a group with money, or by word or

[254] See above, p. 256. It needs to be noted, however, that Ebüssu'ûd Efendi's fetva on cash *evkaf* does appear from el-Kefevî's account (cf. also Şeyh Bali Efendi's letter to Süleyman, quoted in Mandaville, 'Usurious Piety', 301) to have formed the basis of the argument in favour of the practice, though there is no formal indication or recognition of this in the decree which was subsequently issued: cf. below, n. 260.

[255] Charles Thornton Foster and F. H. Blackburne Daniell, *The Life and Letters of Ogier Ghiselin de Busbecq*, 2 vols., London, 1881, i, 116–17.

[256] Şerafettin Turan, *Kanuni'nin oğlu Şehzade Bayezid vak'ası*, Ankara, 1961, 31, n. 1.

deed, is lawful.[257] Only one answer, by Ebüssu'ûd Efendi, is given under the first question, but under the second, no fewer than fourteen answers are given, the authors of twelve of which are identified, who include the two current kazaskers, three former kazaskers and the kadı of Istanbul.[258]

Turan, in his discussion of the fetvas, suggests that Süleyman put the second fetva to the other ulema partly to strengthen Ebüssu'ûd Efendi's fetva and to reassure himself in such an important matter, and partly because, Turan asserts, Ebüssu'ûd Efendi's answer is not entirely explicit on whether

[257] Ibid., 202–4 (taken from a *mecmua*, Bayezid Umumî–Veliyüddin Efendi 3216). For Turan's discussion of the fetvas, see pp. 109–12.

Cf. Busbecq, i, 271–2:

> When these speeches reached Solyman's ears, he submitted the following questions to his Mufti, who, as you doubtless remember, is the chief authority among the Turks in religious matters, and like the oak of Dodona, is consulted in cases of difficulty. 'First, how ought he to treat a man who in his own lifetime raised men and money, attacked and captured towns, and troubled the peace of the empire? Secondly, what was his opinion of those who joined his standard, and assisted him in such an enterprise? Finally, what he thought of those who refused to take up arms against him, and justified his acts?' The Mufti replied, 'That such a man and his partisans, in his judgment, merited the severest punishment; and that those who refused to bear arms against him were wicked men, who failed to support their religion, and therefore deserved to be branded as infamous.' This reply was made public, and transmitted through the chief of the cavasses to Bajazet.

Set against the fetvas themselves, Busbecq's account of the questions put is a reasonable paraphrase, but that of the answer bears only the vaguest resemblance to the answers actually given.

[258] Most of the identifications are straightforward: for Ḥāmid b. Muḥammad (Hâmid Efendi), Rumeli kazasker from 964 to 974, see Atâ'î, 242–3; for Muḥammad b. 'Abd al-Wahhāb (Abdülkerimzade), Anadolu kazasker from 964 to 971, ibid., 114–17; for 'Abd al-Raḥmān b. Sayyidī 'Alī (Abdurrahman Çelebi), Rumeli kazasker from 958 to 964, then in retirement until appointed kadı of Egypt in 969, ibid., 230–2; for Ja'far (Cafer Çelebi), Anadolu kazasker from 958 to 964, then in retirement apparently until his death in 978, ibid., 136–7; for Sinān al-Dīn Yūsuf b. Ḥusām (Muhaşşi Sinan Efendi), Anadolu kazasker from 954 to 958, then in retirement until appointed müderris of the Süleymaniye Darülhadis with 180 akçe in 969, ibid., 248–51; for Muṣṭafā b. Muḥammad (Mimarzade), kadı of Istanbul from 965 to 968, ibid., 39–42; for 'Abd al-Bāḳī (Arapzade Abdülbaki Çelebi), in retirement from the kadılık of Egypt from 963 until appointed kadı of Mecca in 967, ibid., 38–9; and for Ni'mat Allāh b. 'Alī (Ruşenizade), in retirement with a pension of 80 akçe from the müderrislik of the Selim I medrese from 962 until appointed kadı of Medina in Sha'bān 967, ibid., 28–30. The müderris of the Eyüp medrese, 'Mevlânâ Celâlü'd-dîn Efendi' seems certain to be Ṣāliḥ b. Jalāl (al-Dīn) (Celâlzade Salih Efendi), who was appointed to the Eyüp medrese—ironically, at the request of Şehzade Bayezid—in Şafar 966 with 100 akçe and remained there until his retirement in Şafar 969 (ibid., 47–9, 177). 'Hâmid Efendi-zâde Mehmed b. Mehmed'—who could be Hâmid Efendi's grandson, or of an even younger generation, but not his son—is almost certainly a misidentification of Hâmid Efendi's younger brother, Muḥammad b. Muḥyi 'l-Dīn Muḥammad (Martelos Efendi), who, having been kadı of Baghdad, was at the Sahn from 964 until his appointment to the kadılık of Mecca in Jumādā I 967. The identification of Ahmed Efendi, the retired kadı of Aleppo, the only one to cause real difficulty, is discussed below in the text.

the killing of Bayezid's partisans was lawful. It is perhaps not strictly correct to say that Ebüssu'ûd Efendi's answer is in any sense ambiguous—the ambiguity, if any, resides in the question rather than the answer—and one would suggest rather that the distinction between the two fetvas lies in the fact that the first is directed towards Bayezid and his immediate followers while the second casts the net much wider, to include those who offer any sort of encouragement to them: the second fetva is, in fact, of the nature of a supplementary question, a common feature of *iftā'*.

A question of primary importance in the present context is whether, as the format of the collection suggests, the first question was put only to Ebüssu'ûd Efendi.[259] If such were the case, it would argue that he enjoyed a special standing, since the basic stance on the general problem would inevitably be established by the answer to the main question. The material at hand does not allow a categorical answer on the point, but examination of the responses listed under the second question suggest that any such special standing, if it existed at all, was qualified to a degree. The first five answers—by the two kazaskers and the two immediately preceding kazaskers, one of whom contributed two—appear to be original and independent responses to the second question, but a number of the rest—those for example, of the former Anadolu kazasker Sinan Efendi and of the former kadı of Aleppo Ahmed Efendi—appear to be essentially confirmatory fetvas addressed to both of the questions posed (*bu iki sûret-i istiftâda/ya ketb olunan cevablar...*: the answer of the kadı of Istanbul, though not quite so explicit, is also of the same type). It would thus appear that the giving of the fetvas was a two-stage process, some of the scholars writing original and independent answers which were then 'vetted' by others, a fact in itself of interest from a purely formal point of view since it may well illustrate the typical method by which a consensus of the ulema was arrived at;[260] but the

[259] A question of only marginally less importance, perhaps, is whether Ebüssu'ûd Efendi gave an answer to the supplementary question. Busbecq is, of course, explicit that he answered all three questions—'three' should perhaps be amended to 'two' in the light of the fetva collection: there is no assurance that the latter is comprehensive, of course, but the two *mesele* given there cover the three points which Busbecq says Süleyman put to the Müfti—and it is worth noting that an early collection of Ebüssu'ûd Efendi's fetvas, compiled by a student of his who prepared the fair copy of his *tafsīr* and was one of those to be made a *mülâzım* on the occasion of its presentation to the sultan (see below, pp. 290–1), contains the supplementary question with an answer attributed to Ebüssu'ûd Efendi. The answer is so close to (though not identical with) the answer attributed to Hâmid Efendi in the collection in Turan that the attribution to Ebüssu'ûd Efendi must be suspect, if only because it is considerably easier to imagine a misattribution in favour of Ebüssu'ûd Efendi than of Hâmid Efendi (Düzdağ, no. 965: see also pp. 25–6. No. 964 in Düzdağ is the first fetva given in the collection in Turan, and no. 966 is a supplementary question of much more limited scope on the subject of Bayezid's followers).

[260] It is worth recalling in this connection el-Kefevî's account of how the *arz* to the sultan recommending the re-establishing of *waḳf al-muḳūd* came about: 'Then Ebüssu'ûd Efendi was asked for a fetva on this question. ... Then the ulema united in supporting the opinion he had given ...' (above, p. 254). The decree which was subsequently issued, of

more important point for present purposes is that Ebüssu'ûd Efendi's answer, no less than those of the other scholars, was subjected to this vetting process.

In using the term 'vetting process', one is, of course, making the assumption that the confirmatory fetvas were issued at the request of the sultan (or just possibly a member of his family or a high official), an assumption based on the absence of the further question which the process of *iftā'* would seem to require if the petitioner were other than the sultan or—again, just possibly—someone very close to him. One difficulty does arise on this score, however, in so far as it is natural further to assume that the fetvas were written more or less at the same time, subject to the distinction just made between original and confirmatory fetvas. The biographical information in Atâ'î shows all but one of the signatories whose office or status is given in the collection to have been as described in the collection at the time one would suppose the fetvas to have been issued (Rajab–Sha'bān 966/April–May 1559 ?): the one exception is 'the retired (*ma'zūl/mazul*) kadı of Aleppo, Ahmed Efendi'.

The succession of kadıs of Aleppo can be traced through Atâ'î from 949/1542–3 onwards. From that date until 963, none of the incumbents was named Ahmed, but in the period 963 to 970 the office was held by three Ahmeds in succession.[261] The first of these last, and fairly certainly the signatory of the fetva, is Shams al-Dīn Aḥmad b. Badr al-Dīn Maḥmūd, known as Kadızade (later a Müfti), who held the office from Ṣafar 963/December 1555–January 1556 until he resigned in Dhu 'l-Ḳa'da 967/July–August 1560:[262] he was, therefore, in post for some two and a half years before the time one supposes the fetvas to have been issued and for some fifteen months afterwards. How this is to be explained is not immediately apparent. It may be that the person in question is not Kadızade, though it is very difficult to see who else it might be; it may be that Atâ'î's facts about Kadızade's tenure of the office are wrong, though his statements about the succession of kadıs are both detailed and consistent; it may be that the identificatory title has been added later by, for example, the compiler, working from incorrect biographical information, though it must be said that it is difficult to see why Süleyman should have sent to Aleppo for a fetva; it may be that Kadızade did in fact give the confirmatory fetva after his

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course, refers to a number of fetvas on the question.

[261] See Atâ'î, 311, 48, 39, 231, 22, 19, 29, 253–4, 115, 118, 52, 253–4, 275, 260, 173, 146.

[262] Ibid., 259–61. Turan (op. cit., 112, n. 4) gives the death date of 'Ahmed' as 1570, whereas Kadızade died in 988/1580. Whether this means that Turan has identified 'Ahmed' as another than Kadızade (possibly Aḥmad b. Muḥammad (Samsunizade: Atâ'î, 145–7), who held the kadılık of Aleppo from 968 to 970 (1561–3) and died in Dhu 'l-Ḥijja 978/April–May 1571 ?) or whether 1570 is simply a misprint is not clear.

retirement in Dhu 'l-Ḳa'da 967,[263] but even though the issue of Bayezid continued to be of more than academic interest until his execution in Dhu 'l-Ḳa'da 969/July 1562 in Qazwīn, where he had arrived in Ṣafar 967/ November 1559, it is not at all clear why the sultan should still feel the need to seek reassurance at so late a date; and finally, it may be that the assumption that the sultan was in fact or in effect the petitioner in the case of all the fetvas needs re-examination.

As is so often the case, even this relatively rich vein of evidence is not wholly unambiguous in character, but despite a measure of uncertainty on some points connected with the fetva collection, it is in the first place manifestly clear that Süleyman did not rely wholly on Ebüssu'ûd Efendi's opinion in the matter since Turan is no doubt right in regarding the submission of the supplementary question to others of the high-ranking ulema as representing in part—in large part, one would suggest—the sultan's seeking reassurance about the course he proposed to follow by trying to secure a consensus of the ulema. If it is the case, however, as the contents and format of the fetva collection suggest, that Süleyman put the first question only to Ebüssu'ûd Efendi—though this is by no means certain—there is no doubt that this would imply that Ebüssu'ûd Efendi enjoyed some special standing, in assessing which, however, note must be taken of the fact that his response was apparently submitted to others of the ulema for confirmation.

The fact that the fetva collection shows Ebüssu'ûd Efendi not to have been solely responsible for the justification of the steps taken against Şehzade Bayezid must, of course, raise doubts about the implication in Busbecq's account of the earlier incident of the execution of Şehzade Mustafa that Ebüssu'ûd Efendi's fetva sufficed to justify the act. There is, admittedly, a degree of difference, possibly significant, in the nature of the two incidents, the execution of Şehzade Mustafa being an essentially private matter, though with potentially serious public consequences, whereas the decision regarding Şehzade Bayezid carried with it, arguably, the necessity to justify the act at least to the army, who were to do the fighting, if no one else, and thereby motivate them. None the less, it is undeniable that the execution of Şehzade Mustafa promised very serious public consequences and was in prospect an even more contentious issue, and, perhaps, one much more difficult of justification, than the treatment of Şehzade Bayezid as a rebel; and, though no fetva collection or other material has yet been discovered to put the point

[263] As mentioned, Kadızade is the only signatory whose office or status in Rajab–Sha'bān 966 seems not to have been as given in the fetva collection. By the time Kadızade had resigned and become *mazul*, Martelos Efendi and Ruşenizade, for whom neither office nor status is given, would have become respectively kadı of Mecca and kadı of Medina: Martelos Efendi, moreover, having been appointed in Jumādā I 967, appears to have been removed even before he set out for Mecca and replaced by Abdülbaki, who had been until then, and is so listed in the fetva collection, in retirement from the kadılık of Egypt.

beyond doubt, it seems unlikely that Süleyman would not have gone through the same sort of process of consultation that he was later to go through over the question of Bayezid.

To some degree one is made tentative in one's analysis of Ebüssu'ûd Efendi's role in the third incident, the going to war with Venice over Cyprus in 977/1570, by the possibility that there is as yet undiscovered evidence to show that in this case too the collective approval of the ulema was formally sought. In this instance, however, one has not only the text of the fetva given by Ebüssu'ûd Efendi but also the unqualified assertion by an Ottoman historian born the year Ebüssu'ûd Efendi died, namely Peçevî (982–1059(?)/1574–1649(?)), that it was to Ebüssu'ûd Efendi that the question of whether the Ottomans might justifiably break the existing peace treaty with Venice was put.[264] By 977/1570, moreover, Ebüssu'ûd Efendi had been Müfti for twenty-five years and had not only won great honour for himself but had also gained signal recognition for the office which he held, the salary which the Müfti received, for example, having become the highest in the learned profession (see below). If detailed research in the history of the later Müftilik confirms the impression given even by d'Ohsson (see above, n. 58) that, as a formal matter, it was to the Müfti that those in power turned, that the Müfti became at the least the spokesman for the ulema, it may well be that the decision to go to war with the Venetians over Cyprus marks the first occasion when such was the case.

Before leaving the part Ebüssu'ûd Efendi played in decision-making, one ought to emphasize two further points. The first is simply the fact that el-Kefevî—who, in 957/1550, was in the later stages of his student career in Istanbul (he became *mülâzım* in 959/1552)—obviously sees the date 9 Rabî' II 957 as marking a significant step in Ebüssu'ûd Efendi's career, however difficult it may be on the basis of the material at present available to assess the practical effects of that step. The second is that although Busbecq's account appears to overstate Ebüssu'ûd Efendi's role in the making of the decisions regarding Mustafa and Bayezid, it is none the less of great importance in that it doubtless reflects what was thought to be the truth of the matter, at least in the foreign community;[265] and in the same way, simply the fact that Peçevî—not a contemporary witness, it is true, but one much better versed in Ottoman institutions and practice than Busbecq—is able to attribute the justification of the campaign against Cyprus solely to Ebüssu'ûd Efendi is of considerable significance. The contemporary testimony of an interested foreigner makes it at least an arguable proposition that by Ebüssu'ûd Efendi's time—very likely in his time—the Müfti had come to be thought of in a quite specific and seemingly demonstrable way as the

[264] Peçevî, i, 486–7. The text of the fetva is also in Düzdağ, no. 478.

[265] It would be of the greatest interest to know whether Busbecq is strictly accurate in saying that the Müfti's reply (alone ?) in the Şehzade Bayezid incident was made public, and if so, by what means.

spokesman for the ulema; and the assessment by an Ottoman historian writing sixty or seventy years later suggests that it is not impossible that he had actually come to be so.

To turn now to the second aspect of Ebüssu'ûd Efendi's Müftilik which has an important bearing on the evolution of the office, namely the salary which he received, one may begin by summarizing, and adding to, the information already given in the various biographies about the salaries of his predecessors. With respect to the salaries of the fifteenth-century Müftis, the record is by no means complete. Fahreddin Acemî, the first Müfti whose salary is recorded, received 30 akçe a day, while refusing a larger amount offered him by Murad II. Molla Gürânî, the next Müfti in whose biography information on this point is given, received a basic salary of 200 akçe a day, with a number of additional emoluments as well (simply the additional monthly and annual payments made to him work out to over 800 akçe a day). Molla Arab received 100 akçe a day, but whether this included the 60 akçe daily he received as müderris at the Sahn, or was additional to it, is not clear, though the latter seems the more likely. His successor, Efdalzade, seems to have received only 90 akçe a day as Müfti, a fact which is mentioned by Taşköprüzade in a direct quotation from his own teacher, Fenârîzade Muhyiddin Çelebi.[266]

Ali Cemâlî, the first of the sixteenth-century Müftis (and Efdalzade's successor), received 100 akçe a day when he became Müfti, but his salary was subsequently raised first to 150 akçe (the 50-akçe increase being in respect of his teaching at the newly-founded medrese of Bayezid II) and then to 200 akçe. Atâ'î, who gives the most complete, if not necessarily the most accurate, information on the salaries of the later Müftis, is quite positive on the point that the salary of 200 akçe attained by Ali Cemâlî remained in force until 972/1564–5, when, at Süleyman's request, Ebüssu'ûd Efendi sent him the first part of his *tafsīr*, *Irshād al-'aḳl al-salīm*, as far as the *sūrat ṣād*. So pleased was Süleyman with the work that he bestowed on Ebüssu'ûd Efendi a salary increase of 300 akçe daily, thus making his total salary 500 akçe a day. On the completion of the work in Sha'bān 973/February–March 1566,

[266] Taş, i, 232–3; Mecdî, 168–9. Fenârîzade Muhyiddin Çelebi relates that he accompanied his teacher, Hatibzade, on a visit to Bayezid II on a festival day; and before going into the divan, they met Efdalzade and entered together with him. Hatibzade, who was retired from the Sahn and receiving a pension of 100 akçe daily, seems to have been in the habit of preceding Efdalzade, who was Müfti and receiving 90 akçe a day, and apparently did so on this occasion. There is no suggestion that Hatibzade had a right to precede Efdalzade: the rest of the anecdote is devoted to illustrating Hatibzade's extremely arrogant behaviour towards Efdalzade—who was noted for his patience and forbearance (Taş, i, 269–70; Mecdî; 192–3)—towards the vezirs, and towards the sultan himself. The mere fact that Fenârîzade Muhyiddin Çelebi bothers to mention Hatibzade's habitually preceding Efdalzade suggests that it was unusual; and, in context, his mentioning of it would seem to be intended as yet one more illustration of Hatibzade's excessive arrogance and self-esteem.

Süleyman added another 100 akçe to his salary,[267] apparently bringing the total to 600 akçe a day.

Atâ'î's next statement on the Müfti's salary unfortunately confuses the issue to some degree. In his article on the sixth Müfti after Ebüssu'ûd Efendi, Molla Muḥammad b. Muṣṭafā (Bostanzade Mehmed Efendi), the first Müfti to hold the office twice (997–1000/1589–92 and 1001–6/1593–8), he writes that when that scholar succeeded to the Müftilik for the second time, he was given a salary of 650 akçe daily, '[the salary] which had been special to the late Ebüssu'ûd Efendi':[268] Atâ'î does not, however, state where the additional 50 akçe came from. It is entirely possible that despite his certainty on the point, Atâ'î has got Ebüssu'ûd Efendi's original salary wrong. As has been noted, Âşık Çelebi writes in his biography of Fenârîzade Muhyiddin Çelebi that that scholar had become Müfti with 250 akçe *medresesiz*, that is, not including the 50 akçe in respect of the Bayezid II medrese, while el-Kefevî states that Ebüssu'ûd Efendi was appointed Müfti with 250 akçe.[269] It may even be that if Âşık Çelebi is right that Muhyiddin Çelebi received 250 akçe *medresesiz*, Ebüssu'ûd Efendi, who resumed the teaching at the Bayezid II medrese, received 300 akçe, which is the figure given for the Müfti's salary by Âli (and Peçevî) before the increases given to Ebüssu'ûd Efendi in 972 and 973. Interestingly, el-Kefevî, Âli and Peçevî give the value of these increases as 200 and 100 akçe respectively, and el-Kefevî goes on to say that Ebüssu'ûd Efendi's salary eventually reached 700 akçe,[270] without, however, making clear how it did so.

The biographical sources which deal with the subject are thus agreed that Ebüssu'ûd Efendi's salary was substantially increased in 972 and again in 973 but are at odds among themselves both about the base salary to which the increases were added and about the amounts of the increases. A seemingly decisive reference point is provided by an undated firman from the time of Bostanzade Mehmed Efendi's Müftilik—or, more strictly, of one of his two periods of office, in all liklihood the second—granting him for the first time in the history of the office an *arpalık*: in the course of the firman it is noted that 'the specified salary (*vazife-i muayyene*) of the late Ebüssu'ûd Efendi,

[267] Atâ'î, 186 (on Ali Cemâlî's salary, cf. p. 277). Cf. Mank Ali (pp. 447–8), who, in an apparent slip of the pen, makes the improbable statement that Ebüssu'ûd Efendi's salary was increased by (rather than to) 500 akçe daily, then by another 100 akçe.

[268] Atâ'î, 411.

[269] Âşık Çelebi, f. 119b (above, n. 217); *Katâ'ib*, f. 404a. Cf. Hezârfen, f. 136b (Hezârfen/Anhegger, 390), who also states that the Müfti's salary had been raised to 250 akçe before the large increase given to Ebüssu'ûd Efendi in 972 but does not state when. Hezârfen's account also implies, perhaps unintentionally, that the salary of 200 akçe had been arrived at when Kemalpaşazade became Müfti, 70 akçe being added to his then pension (*mütekait vazifesi*) of 130 akçe daily (Hezârfen is thus the only source to suggest that Kemalpaşazade did not go straight from the Bayezid II medrese in Edirne to the Müftilik: cf. above, p. 233).

[270] Âli, f. 476b; Peçevî, i, 52; *Katâ'ib*, f. 404a. In connection with Âli's view, see below, n. 272.

while Müfti, was 550 akçe'.[271] If the information given by the writer of the firman, and the text of it in the Paris manuscript of Hezârfen, may be taken to be accurate, it would appear, when taken together with the various facts given in the biographical sources, first to suggest strongly that Ebüssu'ûd Efendi's original salary was indeed 250 akçe; second, to suggest that the increase given in 972 was 300 akçe; and third, to suggest that the 100 akçe a day increase granted in 973 was an *ad hominem* increase given to Ebüssu'ûd Efendi rather than an addition to the salary of the Müfti: such may be the implication of the phrase *vazife-i muayyene*, and it must also, of course, be remembered in this connection that Atâ'î states the salary of 650 akçe to have been special to Ebüssu'ûd Efendi. The possibility that the Müftis between Ebüssu'ûd Efendi and Bostanzade Mehmed Efendi may none the less have received more than 550 akçe is suggested by Atâ'î's report that the latter, when removed from his first term of office as Müfti, received a pension of 600 akçe.[272]

An important consequence of these sudden jumps in the Müfti's salary is that—if one has correctly interpreted the sequence of events—with the 300 akçe increase in 972/1564–5 the Müfti's salary almost certainly surpassed that of the kazaskers and became the highest in the learned profession. Both the Kanunname of Mehmed II, purportedly compiled around 1480, and Âli, writing in the 1590s, give the salaries of the kazaskers as 500 akçe daily (though their income was, of course, much greater, Âli estimating that the Rumeli kazasker received 8,000 akçe a day in fees, the Anadolu kazasker 15,000).[273] It has already been noted that, as a result of the additional 100

[271] Hezârfen, ff. 137a–b. The firman is also quoted in Uzunçarşılı, *İT*, 195, n. 1, apparently from the MS. in his private library, where Ebüssu'ûd Efendi's salary is given as 500 akçe. The reading in the Paris MS. has been preferred on the grounds of the much greater probability that an *elli* has been omitted either in the copying of Uzunçarşılı's MS. or in the preparation of *İT* than that an *elli* has erroneously made its way into the Paris MS.

[272] It should be noted that Âli (TY 5959, f. 87a), in his general discussion of the learned profession, gives the Müfti's salary as 250 akçe (200 plus 50 akçe for the Bayezid II medrese). His discussion at this point is an amalgam of past and present practice so intermixed as to be almost inseparable, however; and while it is possible that his statement is to be taken as evidence that the Müfti's salary reverted to the previous level after Ebüssu'ûd Efendi's death, one would wish for additional evidence on the point before coming to such a conclusion. The fact that Âli was writing his history in the period 1000 to 1007, by which time there is strong evidence for the Müfti's salary being a great deal higher, suggests that he is giving the figure which had obtained (in his view) from the time of Mehmed II and Bayezid II rather than that which obtained in his own day.

[273] Kanunname, 29; Âli, TY 5959, ff. 91a, 86b. By 1018/1609, when Ayn-i Ali wrote his monograph on the salaries paid by the state, the salaries of the Rumeli and Anadolu kazaskers had risen to the rather curious sums of 572 and 563 akçe respectively (Ayn-i Ali/Paris, f. 56b, gives the former figure as 502, but both Ayn-i Ali, 99, and Hezârfen, f. 137a, give it as 572), while the Müfti's salary had risen to 750 akçe a day. Atâ'î and Hezârfen differ on how the latter sum was arrived at, the former, as noted, writing that Bostanzade Mehmed Efendi was given 650 akçe a day on his second accession and an additional 100 akçe a day in Jumādā II 1003/February–March 1595 (just after the

akçe increase given in Sha'bān 973/February–March 1566 as well as the other honours showered on Ebüssu'ûd Efendi—all his students, for example, were enrolled as *mülâzıms*—it was felt necessary to placate the kazaskers by allowing them each to invest ten *mülâzıms* in the *nöbet* occurring at that time.

Concerning the third aspect of Ebüssu'ûd Efendi's Müftilik which deserves attention, namely the relationship of the office he held to the hierarchy of the ulema, it may be noted that he was the first to succeed to the Müftilik directly from the Rumeli kazaskerlik, which is generally considered to have been previously the senior office in the learned profession. A survey of the careers of Ebüssu'ûd Efendi's predecessors in office reveals no very clear path of succession to the Müftilik, a point the significance of which will be dealt with in more detail later. From a survey of the careers of his seven successors in office, however, it would appear that from the time of Ebüssu'ûd Efendi it was customary for either an active or a retired Rumeli kazasker to succeed to the Müftilik, for all seven of them had held the office, five of them succeeding directly from it to the Müftilik.[274] If on the one hand Atâ'î's, on the other, Mecdî's, reports of the reactions of Abdülvasi Çelebi and Fenârîzade Muhyiddin Çelebi, as ex-Rumeli kazaskers, to their not being given the Müftilik in 940 and 948 respectively (see above, pp. 243 (and n. 144), 271) are not anachronistic, it is arguable that even earlier than Ebüssu'ûd Efendi's tenure the Müftilik was felt to be the natural next step for those who had held the office of Rumeli kazasker (if not necessarily preferable to the actual holding of that office); but it would appear from the evidence of the careers of Ebüssu'ûd Efendi and his successors that it was from Ebüssu'ûd Efendi's time that the Müftilik became in a formal sense, from the point of view of the succession in the hierarchy, the highest office in the hierarchy.

Finally, on the question of the Müfti's involvement in the making of appointments in the learned profession, Uzunçarşılı writes that in 982/1574 (the year of Ebüssu'ûd Efendi's death) the recommendation of nominees for a wide variety of learned posts, notably for the mevleviyets and for müderrisliks above the 40-akçe level, was entrusted to the Müfti.[275]

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accession of Mehmed III) (p. 411), while the latter says that Bostanzade Mehmed Efendi was appointed on the second occasion with 600 akçe 'in lieu of an *arpalık*' (? – *arpalığa bedel*); that he was given an additional 100 akçe on the accession of Mehmed III; and that a further 50 akçe was added 'later' (ff. 136b–137a).

[274] The seven are: Hâmid Efendi, a retired Rumeli kazasker; Kadızade, Sayyid Muḥammad b. Muḥammad al-Naḳīb (Ma'lûlzade Mehmed Efendi: Atâ'î, 281–2), and the younger Çivizade, all of whom succeeded directly from the Rumeli kazaskerlik to the Müftilik; 'Abd al-Ḳādir al-Mu'ayyadī (Abdülkadir Şeyhî Efendi: Atâ'î, 327), a retired Rumeli kazasker; Bostanzade Mehmed Efendi, who succeeded twice directly from the Rumeli kazaskerlik to the Müftilik; and Zakariyyā' (Zekeriya) Efendi (Atâ'î, 322–4), who held the office between Bostanzade Mehmed Efendi's two terms and succeeded to it directly from the Rumeli kazaskerlik. See also Uzunçarşılı, *İT*, 177–8, on this point.

[275] On this subject generally, see Hezârfen, ff. 138a–139a (Hezârfen/Anhegger, 391); Uzunçarşılı, *İT*, 155–7, 179–87.

Previous to this time the Müfti had had no formal involvement in the making of appointments, the recommendations for kaza kadılıks and müderrisliks up to and including the 40-akçe level falling to the kazaskers in their respective areas, those for the higher posts falling to the Grand Vezir, who no doubt often took the advice of the kazaskers: the ultimate power of appointment, of course, rested with the sultan.[276] Broadly, under the new arrangement which, Hezârfen says, was instituted because the vezirs were ignorant and did not know 'the ranks and grades (*meratib ve makadir*) of the ulema', the kazaskers retained their duties with respect to the low-ranking offices, but the Müfti was given the duty of nominating candidates for the mevleviyets and for müderrisliks above the 40-akçe level (as well as for a number of less exalted posts such as those of imams, hatibs and müezzins). It appears that he normally discussed the nominations with the Grand Vezir: he certainly submitted them to the sultan through the Grand Vezir, who no doubt usually simply passed them on, though Uzunçarşılı cites one instance where a Grand Vezir refused to effect the Müfti's recommendations.[277] Uzunçarşılı does not, unfortunately, specify the source for the date which he gives for the change (982/1574).[278] It is clear, however, that the scheme was at least

[276] Though Âli at one point (TY 5959, f. 86b) describes the kazaskers' appointive powers thus (see also the kanunname of Nişancı Abdurrahman Paşa, *MTM*, i, 540), at another (f. 91a) he appears to introduce a refinement. The passage, which concerns the Rumeli kazasker, reads:

> *ve taht-i hükûmeti olan memalik-i mahrusede müderrisîn ve kudata menasıbı kendisi tevcih eder ancak yüz ellişer akçe namdar kadılıklar ile kırk akçe içel medreselerini sadrazama* [Uzunçarşılı, *İT*, 156, n. 1, reads *sadr-ı âzama müracaatla*] *arz eyler zira kudat-i kasabat menasıbını* [Uzunçarşılı: *menasıbı*] *ve yevmî elli akçeden aşağı içel menarisinin* [Uzunçarşılı: *medarisinin*] *meratibi onların arzı ile tevcih olunur.*

The force of the *ancak* would appear to be that the kazaskers were responsible for appointing—subject to the sultan's approval (on this point, see Koçu Bey (2), 107–8)—kaza kadıs up to and including the 150-akçe level except for the important (*namdar*) 150-akçe kadılıks; and müderrises up to and including the 40-akçe level except for 40-akçe medreses in the *içel*, in these latter exceptional cases being required to send recommendations through the Grand Vezir rather than directly to the sultan. With respect to actual practice in regard to low-level appointments, cf. Âli's account of Kemalpaşazade's first appointment (above, pp. 57–8, 228–9), where both a low-level kaza kadılık and a 30-akçe medrese are proposed, for which the kazasker petitions the sultan directly.

Whether in the case of mevleviyets and the higher müderrisliks the Grand Vezir was required to consult the kazaskers, or customarily did so, is not clear. The anecdote cited by Uzunçarşılı (*İT*, 155, n. 5: presumably from Atâ'î, 40), to show that '[the nominations to?] the great kadılıks, that is, of the Mollas, still belonged to the kazaskers in 963/1556' is not, perhaps, cast-iron evidence that such was the case as a general rule, but it is certainly true that in this particular instance the sultan held the kazasker responsible for the rise of the supposedly incompetent kadı and notes that the kazasker's submission had been decisive in his appointment to the Süleymaniye medrese.

[277] Uzunçarşılı, *İT*, 181, n. 5.

[278] The date given in *İT* overtakes the clear implication in Uzunçarşılı's earlier *Merkez*, 231, that this change occurred only in the seventeenth century. On the question

mooted to Ebüssu'ûd Efendi, if not actually implemented in his time, since he reacted strongly to it, writing to the Grand Vezir: 'With the business of giving fetvas filling our time, to load this burden upon us as well is an outrage (*jawr/cevr*).'[279]

In summary, therefore, it seems beyond doubt that during Ebüssu'ûd Efendi's tenure of the Müftilik, the office gained greatly in both power and prestige. It would appear that he had come to be recognized in a real sense as the spokesman of the ulema, though, as has been noted, it is difficult to be certain of the fact or precise about the sense. It is almost certainly the case that by the end of his tenure, the office had come to be the pre-eminent one in the learned hierarchy in terms of both salary and rank; and it seems to be the case that a highly important addition to the substantive powers of the Müfti—the participation in the making of appointments in the learned hierarchy—had at the least been mooted if not actually implemented in his time. This is not to say that by the end of his term of office the Müftilik had been invested with all the powers and prerogatives which characterized it in later times: it was, for example, some ten years after Ebüssu'ûd Efendi's death that the first instance of the customary visits of the Grand Vezir to the Müfti occurred.[280] Much work, of course, yet remains to be done on the nature and extent of the authority of the Müfti both in Ebüssu'ûd Efendi's time and in later times. This, however, is a subject which must await further study; and since the history of the Müftilik has now been carried to a point where indications of its pre-eminence among the ranks of the learned

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of the date, cf. Baltacı, *O. Med.*, 29–30, 53: the information given at p. 29, n. 41, suggests that the kazaskers may have continued to participate in the making of high-level appointments at least for a time after 982.

[279] Hezârfen, f. 138a (Hezârfen/Anhegger, 391), quoted also, slightly inaccurately, in Uzunçarşılı, *İT*, 179. Hezârfen writes that the complaint was addressed to the Grand Vezir İbrahim Paşa, which must, however, be a slip of the pen (though possibly derived from Kâtib Çelebi: see Baltacı, *O. Med.*, 53, n. 14) since *the* İbrahim Paşa had been executed in 942/1536 and no other İbrahim Paşa held the office of Grand Vezir during Ebüssu'ûd Efendi's tenure as Müfti. The Grand Vezir in question is almost certainly Sokullu Mehmed Paşa, who held the office from 972 to 987 (1565 to 1579).

[280] Atâ'î, 292; Uzunçarşılı, *İT*, 187–8. d'Ohsson (iv, 500) writes that the Müfti Çivizade Mehmed Efendi [Müfti 989–95/1582–7] was the first to receive a public visit from the Grand Vezir, namely from Özdemiroğlu Osman Paşa [Grand Vezir 992–3/1584–5] in 1585, and goes on to say that a few days later Süleyman I accorded him an absolute jurisdiction over the corps of the ulema throughout the extent of the empire. It is not clear what d'Ohsson means by this latter statement, but if he is referring to the Müfti's powers with respect to appointments, his statement appears to need modification in the light of the argument just above in the text: I have in any case found no evidence for associating the transfer of appointive powers to the Müfti with the time of the younger Çivizade.

The first visit by a Grand Vezir occurred, of course, not in Süleyman's reign, as d'Ohsson implies, but in that of Murad III. Kramers ('Shaikh al-Islām' in *EI*[1]) assumes that d'Ohsson is mistaken about the date and has confused Çivizade Mehmed Efendi with his father; but it is clear that d'Ohsson's error concerns the identity of the sultan, not that of the Müfti.

profession may be clearly discerned, one may properly bring the present survey of its history to a close, summarizing briefly certain conclusions which may be reached, however tentatively, about the nature of the Müftilik in earlier times.

CHAPTER SIX

Conclusion[1]

If viewed in terms of its importance relative to the other offices in the learned profession and its position in the state as measured by such criteria as rank, salary, authority over others and participation in the making of important policy decisions, there can be little doubt that the common view that the Müftilik became the pre-eminent office in the learned hierarchy in the time of Süleyman is substantially correct: if Ebüssu'ûd Efendi had not, by Süleyman's death (974/1566) or his own (982/1574), been granted all the powers and prerogatives that were to characterize the later Müftilik, the Müfti's position was none the less secure by the end of his tenure, to a considerable extent, one might argue, because of the extraordinary closeness of the relationship between Ebüssu'ûd Efendi and Süleyman.[2] By the same criteria, it is argued, and certainly arguable, that the real importance of the Müftilik began with the Müftilik of Ali Cemâlî, during which the office

[1] In addition to Uriel Heyd's 'Fetva' and *Criminal Law*, which both contain important information and ideas on various topics relating to the Müftilik, two articles which treat of the Müftilik, or Şeyhülislâmlık, have appeared in recent years and may be mentioned here. The first is Richard W. Bulliet's 'The Shaikh al-Islām and the Evolution of Islamic Society', *SI*, xxxv (1972), 53–67, which is useful for a survey of the use of the title and a discussion of the nature of the office in pre-Ottoman times and contemporary but non-Ottoman areas. As noted above (p. xix), however, it is not at all clear how meaningful his remarks are for the Ottoman situation. Certainly his conclusions about the nature of the Ottoman Şeyhülislâmlık and the reasons for its importance are called into question by what appears to have been the actual nature of the office in its first 150 years. Michael M. Pixley's 'The Development and Role of the Şeyhülislam in Early Ottoman History', *Journal of the American Oriental Society*, xcvi (1976), 89–96, being brief and dependent almost entirely on modern secondary sources, is superficial and occasionally inaccurate (over Çivizade's attitude to Sufism (p. 94), for example), but nevertheless contains some interesting observations. As to his conclusions, he is certainly right to emphasize the importance of taking into account the personality of individual Müftis in assessing the nature and power of the office (cf. above, p. 256); but in writing (p. 96):

> The mistake of most scholars when describing the power of the *şeyhülislam* is to confuse the strength of the office with that of its holder. Even by the close of the sixteenth century, the *şeyhülislamlik* was essentially only an honored and venerated post which nevertheless possessed precious little real authority in matters of state,

he underestimates, I suspect, both the substantive powers the Müftilik had gained—the structural underpinnings of the office, as it were—and also the influence the Müftis could bring to bear precisely because their office was 'an honored and venerated post'.

[2] For evidence of Süleyman's regard for Ebüssu'ûd Efendi, see Baysun, 'Ebüssu'ûd Efendi' in *İA*, iv, 93b, and cf. el-Kefevî (f. 404b), who relates that Süleyman refused Ebüssu'ûd Efendi's request to be allowed to go on the pilgrimage 'because he was sure that neither substitute nor second could be found for him, to take his place'. el-Kefevî goes on to quote the text of Ebüssu'ûd Efendi's request.

acquired the responsibility for the teaching at the medrese of Bayezid II and the supervision of Bayezid II's *evkaf*, while Ali Cemâlî personally was offered, according to the generally accepted interpretation, the combined kazaskerliks by Selim I.[3] Yet in so far as these essentially complementary views of the Müftilik rest upon the assumption that the development of the office is to be seen as a process of growth from a relatively unimportant office in the hierarchy to the most important one, a view explicit in d'Ohsson, for example,[4] and implicit in many other discussions of, and comments on, the institution, it is not altogether satisfactory since it fails to take into account the vague but unmistakable signs that the office was already one of considerable importance in the fifteenth century.

The clearest evidence for the importance of the Müftilik in the fifteenth century is the (unfortunately undatable) statement in the Kanunname of Mehmed II that the Şeyhülislâm is the chief (*reis*) of the ulema, a statement already discussed in some detail (see above, pp. 192 et sqq.). This statement in the Kanunname has been adduced by Gibb and Bowen as one piece of evidence raising doubts about the traditional view of the Müftilik, the other being the fact that Molla Hüsrev and Molla Gürânî held the Müftilik after holding the kazaskerlik;[5] and while their view on this latter point does not, as has been shown (above, pp. 1–3), stand up to close examination, it is none the less significant that both Molla Hüsrev and Molla Gürânî held the office at the end of long and distinguished careers and, more particularly, if the tradition is to be believed, that Molla Hüsrev was brought back from Bursa by a repentent Mehmed II and given the post. De la Broquière's testimony, Fahreddin Acemî's holding the chief seat at the circumcision feast, even Cantacasin's account, which must pertain to the very early years of Ali Cemâlî's Müftilik, before he had acquired the additional duties which were to come to him, may be adduced as additional evidence that the Müftis before Ali Cemâlî enjoyed considerable standing in the state. It is doubtful that the statement in the Kanunname, which would, of course, be conclusive on the point if it could be shown to be of the time of Mehmed II, can ever be

[3] Kramers, 'Shaikh al-Islām' in *EI*[1]; Baysun, 'Cemâlî' in *İA*, iii, 87a; Uzunçarşılı, *İT*, 177. Cf. Cantacasin's remarks on the Müfti (Cantacasin, 112–14), especially his comment that when the Müfti goes to visit the sultan, 'l'Empereur se lieve debout et luy faict ung tresgrand et treshonnorable recueil et le faict seoir au dessus de luy' (p. 113). The information which Schefer, the editor, gives about the composition of the work (op. cit., xl–xli, xliv–xlv), which indicates that it relates to the middle years of the first decade of the sixteenth century, sometime after the beginning of 1503 (mid-908), suggests that the 'Ali Celebi' in question is probably Ali Cemâlî, not 'Araby Aly Efendy' as Schefer asserts (op. cit., 112, n. 1).

[4] See, for example, the last sentence of the passage in d'Ohsson describing the supposed Müftilik of Hızır Bey (above, p. 139): 'Ce fut là l'origine de cette grandeur à laquelle s'élevèrent insensiblement les *Scheïkh'ul-Islams*.' See generally the comments on the Müftilik in d'Ohsson, iv, 498–501; Hammer, *Histoire*, iii, 310–11; Kramers, 'Shaikh al-Islām' in *EI*[1].

[5] Gibb/Bowen, i/2, 84, n. 4.

proved to be so (or not to be so), and its authenticity as a statement of the position of the Müfti in the last years of Mehmed II's reign must therefore remain to a considerable extent a matter of opinion. Assessed in the light of the other bits and pieces of evidence which indicate that the Müfti occupied a position of special eminence among the ulema from the very inception of the office, however, one can at the least say that the statement is not an unlikely reflection of the status enjoyed by, say, Molla Hüsrev.

If it may be thought, then, that there is a case for regarding even the fifteenth-century Müftis as 'chiefs of the ulema', there are undoubtedly problems in defining the sense in which they may be said to have been so. One of the greatest difficulties in assessing the nature of the early Müftilik is the definition of his actual duties; and, indeed, it may be suggested that this difficulty is the reason why most writers on the Müftilik have tended to underrate the importance of the office in the period before Ebüssu'ûd Efendi. One can discern only one duty which was unquestionably the Müfti's throughout the period, namely that he was in fact the Müfti of the capital and was therefore charged with giving fetvas to the people. It has been shown above that several Müftis before Ali Cemâlî, Ali Cemâlî himself, and the Müftis after him taught at important medreses. Another possible function would seem to be implicit in Ali Cemâlî's arguments with Selim I over the orders for the execution of the treasury officials and the silk merchants, namely that the Müfti was considered to be a personal religious adviser to the sultan, responsible for the protection of his after-life by guarding him from acts which might endanger it. To what extent this was generally considered to be a function of the Müfti and to what extent it represents an idea peculiar to Ali Cemâlî it is impossible to judge from the evidence, though it may be noted that one may see something very like this function in Fahreddin Acemî's saving Mehmed II from the influence of the Ḥurūfīs.

Beyond this there is very little that can be said about the actual duties of the Müftis, and it is thus difficult to justify solely on the evidence of the duties they performed the prestige seemingly enjoyed by the early Müftilik. One may take up in this connection the account of the early Müftilik given by Walsh in his contribution to the article 'Fatwā' in *EI*[2]. He writes:

> Among the early Ottomans the function of *iftā'* appears to have been of the same casual nature it had hitherto exhibited in all other regions of Islamic domination: anyone prominent for his learning and piety could be asked to act as a mutually acceptable arbiter in a dispute involving a point of law and his opinion was allowed to be decisive. However, as the orderly administration of the rapidly expanding empire was seen to demand a more unified system of legal practice, such authority was gradually confined to a few individuals of public position (the *ḳāḍi 'l-'askers*, the preceptors of the Sultans, the *ḳāḍīs* of great cities like Bursa and Edirne, etc.) to whom appeal could be made against the decisions of lesser *müftīs*. But this, too, was

> unsatisfactory as it seemed to secularize the divine law and make it an instrument of the ruler's will; sometime, therefore, in the reign of Murād II (824–55/1421–51) the right to issue *fetwās* was vested exclusively in an individual known as the *shaykh al-islām* [*q.v.*], who, although appointed by the Sultan, had no part in the councils of the state, received no fees for the decisions he delivered, and was held to be above worldly considerations.

What amounts to the recognition of the importance, in religious terms, of the separation of the Müftilik from a simultaneously held kadılık (cf. above, pp. 116 et sqq.) and the delineation of the peculiarly non-secular character of the Müftilik are worthy of note in this passage; but the attempt to explain the establishment of the Müftilik in essentially administrative terms is unpersuasive.[6] While it is no doubt true that the Ottomans were concerned to develop a unified system of legal practice in so far as it was possible to do so, and while the use of *iftā'* was theoretically (and in later days, possibly in practice) a means of doing so, there is no evidence that the early sultans made use of it for this purpose. The claim, crucial to the argument, that the right to issue fetvas was vested exclusively in the Müftis, moreover, cannot be sustained in view first of the existence of important independent müderris/müftiliks in a number of centres outside the capital (cf. above, pp. 62 et sqq.) and second of the fact that it is virtually certain that at least until toward the end of Ebüssu'ûd Efendi's tenure (and perhaps even then) the sultans took fetvas on matters of public policy from a number of the ulema and not from the Müfti alone. The fact that the power of *iftā'* was decidedly not vested exclusively in the Müfti as well as the absence of any discernible evidence either of the early Müftis' possessing significant administrative powers or of any administrative changes following hard upon the foundation of the office makes it seem unlikely that administrative considerations can have played an important part in the creation of the office.

It has been shown at the end of Chapter III, however, that there is good reason to suppose that the motivation behind the creation of the Müftilik was the desire to create within the state a distinctly religious figure, free from the taint of secular government, who would serve as an embodiment of the şeriat and, perhaps, as a religious sanction for the regime, and who would also, in Kramers' words, '[represent], so to speak, the religious conscience of the people' (see above, p. 123). To view the creation of the Müftilik as motivated primarily by a desire to create a symbol rather than to answer administrative

[6] One should comment also that the idea of appeal against the decisions of lesser müftis is valid only in the broadest and most informal sense, which is to say that anyone could ask any scholar for a fetva on virtually any point of law (see the discussion of the subject matter of fetvas in Heyd, 'Fetva', 53–4), including the correctness of another müfti's fetva. It is doubtless the case that the higher a müfti's standing (which, at least in this early period, should probably be thought of in terms of learning rather than rank), the more influential his fetva; but I have come across no evidence which would suggest the existence of any sort of formal appeal structure.

needs would seem to provide a basis for a picture of the early Müftilik which is consistent with such facts as can be established and which also explains certain facts which have hitherto appeared anomalous.

Two authors among those who take the view that the Müftilik only gradually assumed importance in the state give specific reasons for their view. Kramers, in writing about the Müftilik of Ali Cemâlî, notes the importance of his tenure of that office but goes on to say that the kazaskers still had precedence because they sat in the divan while the Müftis did not.[7] The illogicality of the statement has already been remarked (above, p. 28 and n. 3), but the question of why the Müfti was not a member of the divan is nevertheless a legitimate one. The answer to it would seem to lie simply in the fact that the divan was the chief organ of the secular government and that it was precisely from the taint of secularism that the Müfti had to be protected. Uzunçarşılı, the second author to mention a specific fact to show the relative unimportance of the Müftilik at least in the fifteenth century, notes that their salaries were trifling compared with those of the kazaskers.[8] Again, however, the relative lowness of the Müftis' salaries would seem to result from the desire to avoid the accusation of worldliness which would inevitably follow upon the payment of a substantial salary.

The irrelevance of the Müfti's salary as a measure of his position in the state can in fact be nicely demonstrated by a piece of documentary evidence. Reference has already been made to two entries in a *Mühimme Defteri* which set out the arrangements for the *nöbet* held in 963/1566, in the first of which it is decreed that while in general *mülâzıms* are to be accepted from Mollas in line with previous practice, 'it is decreed that three additional [*mülâzıms*] be accepted from the Müfti Efendi. His [their] custom [i.e. the Müfti's customary number] is ten; and with the decreed increase, it becomes thirteen *mülâzıms*.'[9] At least as early as 959/1552 (the date of the *nöbet* preceding that of 963), then, and, depending on how literally 'his [their] custom' (*adetleri*) is to be taken, perhaps earlier—in any case, well before the substantial increases in the Müfti's salary granted in 972 and 973 which raised it above the kazaskers'—the Müfti was allowed to invest ten *mülâzıms*, a number

[7] Kramers, 'Shaikh al-Islām' in *EI*[1], iv, 276.

[8] Uzunçarşılı, *OT*, ii, 582. The same premise lies at the base of his fuller treatment of the early development of the Müftilik in *IT*, 175–7.

It should be noted that the Müfti's income must have been even more trifling when compared with those of the kazaskers since, as remarked by Walsh, the Müfti received no fees for his fetvas (nor, it seems likely, from any other source in the period under review), while, as has been noted, both the kazaskers and the kadıs derived a substantial income from fees. Fees were indeed charged for the Müfti's fetvas—when the practice began is not clear—but these were divided among the Müfti's staff: see Heyd, 'Fetva', 52–3, for the most thorough discussion of this point.

[9] See above, pp. 45 (and n. 55), 53 (and n. 75). The quoted passage occurs in *Mühimme Defterleri*, ii, no. 866, dated 14 Rajab 963/24 May 1556, and reads: *ama Müfti Efendi Hazretlerinden üç ziyade alınmak buyruldu adetleri on imiş ziyade buyrulduğu ile on üç mülâzım olur.*

achieved by the kazaskers only in 973/1566 (by which time the number allowed the Müfti had, of course, risen to at least thirteen) as compensation, it is said, for the honours showered upon Ebüssu'ûd Efendi when he completed his *tafsīr* in that year (see above, pp. 53–4). Not only is the fact of this indication of the Müfti's pre-eminence in the learned profession significant, but also the nature of it, for of all the rewards, perquisites and honours which fell to members of the learned profession, the right to invest *mülâzıms* was perhaps the least material, the least open to objection as being secular in nature.

Two other facts which have an important bearing on the nature of the early Müftilik must be mentioned, the first of which is that until the time of Ebüssu'ûd Efendi there seems to have been no clearly defined path of succession to the Müftilik. It is notable that the Müfti is not included in the *cursus honorum* of the learned profession given in the Kanunname of Mehmed II, the provisions of which seem to have been generally observed in the period following the time of the putative promulgation of the document.[10] Of the first four Müftis who acceded to the office after the time the Kanunname is said to have been written, only two, Molla Gürânî and Efdalzade, had held important positions in the learned hierarchy—Molla Gürânî the kazaskerlik and the kadılık of Bursa (probably in the fairly distant past), Efdalzade the kadılıks of Edirne and Istanbul—and neither, it appears, succeeded directly from such a post to the Müftilik (see above, pp. 172–3, 191–2). The other two, Molla Arab and Ali Cemâlî, succeeded to the Müftilik from the Sahn, neither of them having previously held one of the most important posts in the hierarchy. Ali Cemâlî's long tenure of the office brings the history of the institution into the reign of Süleyman: of the five Müftis between Ali Cemâlî and Ebüssu'ûd Efendi, all had held one of the most important posts, but only one, Çivizade, succeeded directly from a major post to the Müftilik. It may be that the fact that the five Müftis who succeeded Ali Cemâlî had all held, at some time in their careers, one of the highest posts represents the beginnings of the absorption of the Müftilik into the learned hierarchy,[11] but it would appear that until the time of Süleyman no such rule applied.

The other fact of importance is that, unlike the holders of office in the learned hierarchy, the Müftis of the early period normally held office for life

[10] The passage from Mehmed II's *vakfiye* quoted above (Chapter IV, n. 193) is also of interest in this connection in that it implies a close association between the Sahn and the Müftilik and ignores the number of steps which were later to lie between the two in the developed hierarchy. In relation to this point, the dating of the passage is relatively unimportant—the passage would arguably be even more significant if it were the work of a mid-sixteenth century translator—but the careers of Molla Arab and Ali Cemâlî, cited just below in the text, may be thought to provide support for the proposition that the passage is not out of keeping with Mehmed II's intentions.

[11] Cf. also in this connection the reported reactions of Abdülvâsi and Fenârîzade Muhyiddin Çelebi: see above, p. 293.

and were not subject to dismissal from office.[12] This, it may be noted, is a fact which is thoroughly consistent with the view taken of the Müfti as the supreme religious authority of the state, for such a view would demand that the holder of the office be as little subject to the whim of the secular government as possible.

From these various facts about the early Müftilik there emerges a picture of the office as one of great prestige and as one differing from those in the learned hierarchy in such ways as to suggest that the Müfti was not a member of the hierarchy at all until towards the end of the period under review. The comparison of the position of the Müftilik to other ranks in the learned hierarchy thus becomes largely irrelevant, and it is arguable that the error of the traditional view of the Müftilik arises from an attempt to fit it into an hierarchical structure of which in fact it formed no part. Rather than being seen in terms of the vertical growth of an office from a less important to a more important position in the hierarchy, then, the development of the Müftilik is better explained, it may be suggested, as the movement of a highly prestigious office standing entirely outside the hierarchy to a position at the top of the hierarchy, an explanation which may be reinforced by contrasting the developments affecting the Müftilik with the position of the Hoca, whose status is defined in almost exactly the same terms as the Müfti's in the Kanunname, who maintained his prestige certainly into the seventeenth century at least, but who remained essentially outside the hierarchy (see above, pp. 192 et sqq.).

Inevitably the absorption of the Müftilik into the hierarchy of the learned profession produced changes in the nature of the office. Clearly the office gained greatly in terms of actual power, and the holders of the office gained considerably in the material sense. It is possible, however, to see in this movement the corruption of the original ideals of the institution. As the institution gained the powers and perquisites characterizing secular government, it paid the price of becoming subordinated to the secular government. A glance at the pages of Danişmend shows, for example, that from the beginning of the seventeenth century dismissals from office were very much the rule rather than the exception. It could certainly be argued that the efforts of such as Ebüssu'ûd Efendi to achieve a workable compromise between the spirit of the şeriat and the exigencies of the practical administration of the empire worked to the advantage of the state. Yet in so far as the Müftilik appears to have been conceived as an embodiment of religious authority untainted by secular considerations, to have been thought of, and at times to have functioned, as an independent check on the powers of the sultan, the absorption of the office into the hierarchy subverted its purpose. It is interesting to compare the independent attitude shown by

[12] One finds this point noted as early as Cantacasin, who writes (p. 113): 'Le Muphti est tresgrand docteur et luy seul a l'office durant sa vie, car nul autre office de la court ne se donne à la vie que cestuy, sauf au plaisir du Seigneur.'

Ali Cemâlî in the face of one of the most stern and unpredictable of the Ottoman sultans with one of the very few criticisms made of Ebüssu'ûd Efendi, namely a remark of Mank Ali's, a contemporary of Ebüssu'ûd Efendi's, who writes: 'There was in him an excess of complaisance and softness towards men of the government.'[13] It cannot be maintained that no Müfti after Ebüssu'ûd Efendi showed the independence of Ali Cemâlî, nor can it be argued that no Müfti before Ebüssu'ûd Efendi showed the willingness to compromise which is implicit in Mank Ali's criticism. None the less, it may be suggested that the change in the nature of the Müftilik which is seen to have taken place by the end of Ebüssu'ûd Efendi's tenure of the office created the conditions whereby the fault of which he stands accused was likely to become the norm.

Perhaps no clearer indication of the change which had occurred can be given than the fact that the deeply felt objections on the part of many of the ulema to the office of kadı, about which much has already been said, appear to have become directed at the Müftilik as well. On the death of Ebüssu'ûd Efendi, the Müftilik is said to have been offered to the then müderris of the Süleymaniye Darülhadis, the aged and immensely distinguished scholar Muhaşşi Sinan Efendi. He refused the office, however; and even if the sentiments expressed in the account of his refusal are Atâ'î's and not Sinan Efendi's, they are significant: 'He disdained the heart-alluring Züleyha of the world, and through the Inspirer of right guidance, he gave ear to the verse from [the *sūra* of] Joseph, "Turn away from this" [XII, 29].'[14]

[13] Mank Ali, 449.

[14] Atâ'î, 251. See also Atâ'î's biography of Ali Cemâlî's son, Fuḍayl Efendi, who is said to have refused the Müftilik in 985/1577 (having already refused a kazaskerlik in 982/1574) for reasons to do with 'disdain of earthly things' (*istighnā'*) and 'purity' (*ta'affuf*) (pp. 275, 276). As noted above (Chapter V, n. 145), however, Atâ'î at another point gives a different reason for his not becoming Müfti.

APPENDIX I

Additional Notes

A. On the pay of the learned profession:

Though a number of questions concerning the pay of the different classes of the ulema are dealt with in detail at various points as they arise in the discussion, it may be useful to comment briefly in more general—if still in some respects rather tentative—terms on the methods of payment of the ulema, and, in particular, of the kadıs, since Heyd's statement that the kadıs were not paid fixed salaries,[1] while strictly correct, may possibly mislead. Müderrises were, of course, normally paid from the funds of the *evkaf* supporting the medrese, as were the vast majority of the functionaries and staff connected with the objects of pious endowments, which included, for example, mosques and *imarets* as well as medreses. A certain number of high-ranking ulema received what were in effect fixed salaries or pensions from the state treasury. These last are listed by 'Ayn-i 'Alī (Ayn-i Ali) at the end of his monograph on the salaries paid by the state, the *Risāle-i vaẓīfekhorān-i merātib-i bendegān-i Āl-i 'Othmān*, written in 1018/1609 as a companion piece to his *Risāle-i ḳavānīn-i Āl-i 'Othmān*, and comprise the current Müfti and former Müftis; the current and former kazaskers; and those in retirement from the kadılıks of Istanbul, Mecca, Edirne, Bursa, Medina and the other mevleviyet kadılıks.[2] As for active kadıs, Âli notes the arrangements for paying a scholar promoted from the kadılıks of Bursa, Edirne and/or Istanbul (to which, Âli has previously said, the scholar would have been appointed with 'approximately' (*tahminen*) 500 akçe [daily]) to the Anadolu kazaskerlik as follows: *mahsul-i kazadan bittahmin tayin olunan beşyüz akçe vazife bu kerre mahbemah beytülmal-i Müslimînden ber vech-i nakd verile* ('And the five hundred akçe [daily] which was assigned by way of approximation from the produce/revenues of the kadı's district is now [i. e. when he becomes kazasker] to be paid monthly, in cash, from the public treasury.').[3] With reference to the term *mahsul-i kaza*, one should note that Uzunçarşılı writes that the *hasıl* of a kadılık—by implication, a special sum—was fixed on the basis of 10 akçe per thousand households,[4] the figure thus arrived at serving as the basis for the registration of the kadılık in the *defter* as a 70-akçe kadılık, a 130-akçe kadılık or whatever. The nature of the source of the

[1] Heyd, *Criminal Law*, 213. That Heyd himself might have qualified the statement is indicated by a 'pencil note expanded' in which Heyd/Ménage refer to the first of İnalcık's works cited in n. 5 below to show that 'some cadis, in the early Ottoman period and in certain districts at least, were granted *tīmārs*'.

[2] Ayn-i Ali, 99–100; Ayn-i Ali/Paris, ff. 56a–b.

[3] Âli, TY 5959, f. 86b.

[4] Uzunçarşılı, *İT*, 91.

potential income is not made clear, however, nor—on the assumption that the revenue was actual and constituted, in part or whole, income for the kadı—is the form in which it was made available to the kadı. A possible early instance of such an arrangement for paying kadıs is the giving of *tīmārs* (timar) to kadıs in Albania in the first half of the fifteenth century, the incomes of the timars, worked out on a daily basis, coming to between roughly 9 and roughly 18 akçe.[5] How widespread and how long-lasting the use of timars for the purpose was is not at all clear: even in the *defter* published by İnalcık, for example, two of the timars[6] passed out of the hands of the kadıs within some six years of the date of the survey. On the slightly uncertain evidence of a series of Ebüssu'ûd Efendi's fetvas (mid-sixteenth century) on the subject of *mahsul-i kaza* (which term now seems to be being used in the sense of the sum paid to the kadı), the latter appears to have been a cash sum which was collected by the *nā'ib*(s) (*naib*) and which was capable of being—but ought not to be—farmed out for a fixed sum.[7] Certainly the common phrase in the biographical sources and at least in seventeenth and eighteenth-century documents relating to the appointment of kadıs that a scholar had been, or was to be, appointed 'with 80 akçe daily', for example, suggests strongly that a kadı was normally provided with some source of income from the revenues of his district which approximated the set valuation of the kadılık, whether that be 30, 80, 150 or 500 akçe a day.[8] I have assumed this sum (which is perhaps better termed an allowance than a salary since it was probably not fixed to the degree that the latter term implies) to have been additional to the fees the kadı received, as was the payment to the kazaskers.[9] For a rare record of the actual income received by a kadı, see Chapter II, n. 19.

[5] H. İnalcık, 'Ottoman methods of conquest', *SI*, ii (1954), 108–9; idem, *Hicrî 835 tarihli Sûret-i Defter-i Sancak-i Arvanid*, Ankara, 1954, pp. XXIV, 19, 38, 70, 89, 106–7 (timar nos. 26, 84, 190, 241, 287: see also nos. 14, 103, 110, 118, 131, 155, 254).

[6] Ibid., timar nos. 241, 287.

[7] Selle, 24–6, especially fetvas 7–8, 12–14.

[8] For the documents, see Uzunçarşılı, *İT*, 113–14 (date: 1022/1613); 90; 91, n. 3; 95, n. 3 (dates: 1166/1753, 1097/1686 and 1192/1778, though the latter two appear closely related, this suggesting a possible error in one date or the other). A *berat* dated 884/1479 (ibid., 114–15) contains no such expression, and one dated 953/1546 (ibid., 112–13) simply notes that the kadılık is registered (?) in the *defter-i sultanî* at 130 akçe.

One might also note here a document dated 17 Muḥarram 890 (3 February 1485) from a Bursa court register concerning the payment to Molla Vildân, kadı of Bursa, of 40 akçe a day from the Bursa public treasury (*beytülmal*) for a period of 27 days in Ramaḍān 889 (İnalcık, 'Bursa Kadı Sicillerinden Seçmeler' (as above, Chapter I, n. 74), doc. 108). It seems almost certain that this payment relates to some personal matter, however, not least because Molla Vildân's brother also receives a payment of 10 akçe a day (for a rather longer period).

[9] For the kadıs' fees, see Heyd, loc. cit.; Gy. Káldy-Nagy, 'Ḳāḍī (Ottoman Empire)' in *EI*²; and for the kazaskers' income, see above, p. 292.

B. On paye-i Sahn*:*

As noted in Chapter II, Atâ'î regularly uses for the *dâhil* class of medrese the apparently synonymous term *paye-i Sahn*, *paye* having here its common, but by no means exclusive, connotation of the rank, but not the actual office, of (in this case) a Sahn medrese. Uzunçarşılı, without explanation, glosses the term *paye-i Sahn medreseleri* which occurs in the firman of 983/1576 as *Dâhil medreseleri*, a gloss supported in a general way by the context and by the use of the term *dâhil medreseleri* in a very similar context in the kanun of 1006/1598.[1] The variations of *paye-i Sahn* used by Atâ'î deserve brief mention since the commonest form—the name of a medrese followed by *paye* in Turkish construction: for example, *Üç Şerefeli payesi*, *Haseki payesi*—is not immediately intelligible and might indeed mislead in so far as it might suggest that the scholar held the rank, but not the office, of müderris at the Üç Şerefeli or Haseki medreses. That *paye* in this construction stands for *paye-i Sahn* is indicated by following Atâ'î's terminology regarding the Ahmed Paşa medrese in Çorlu. Küçük Nureddin was appointed to the medrese, certainly with 50 akçe and almost certainly at the *hâriç* level, in 978 or 979.[2] After his death (in 979 or 981), the medrese 'was considered to be *paye-i Sahn* (*paye-i Sahn itibar olundu*) and given to Saçlı Emirzade Abdülkadir Efendi'. In the biography of this last,[3] Atâ'î writes that when, in 981, Küçük Nureddin was martyred, the Çorlu medrese was given to Abdülkadir for the first time *paye itibari ile*, that is, roughly, with the status of a *paye* medrese (for a similar use of *paye* alone for *paye-i Sahn*, see the biography of Müderriszade,[4] who became *paye müderrisi* at the Halebî medrese in Edirne in 990). Finally, Abdülkadir's successor, Mustafa b. Mehmed, took up his appointment at the *Çorlu payesi* in 983.[5] Similarly the Kızıl Musluk medrese, a 40-akçe medrese in 979,[6] became *hâriç elli* and subsequently *paye-i Sahn* between then and 986,[7] the appointee in this latter year being said to have been raised to the *Kızıl Musluk payesi*.[8] *Paye-i Sahn* and its equivalents do seem to be used synonymously with *dâhil* in Atâ'î in the purely practical sense that, in so far as one can determine, they are invariably used of post-*hâriç*, pre-Sahn medreses. At one point, moreover, Atâ'î writes of a medrese that 'with its being considered *paye-i Sahn*, it [or the müderris] attained the *dâhil* grade (*paye-i Sahn itibari ile dâhil rütbesine nail oldu*)'.[9] The history of both terms is still obscure, however, and more examples of each are needed before one can determine their antiquity and be certain of the nature of the connection between them.

[1] Uzunçarşılı, *İT*, 14, 244. For the latter reference, see also Baltacı, *O. Med.*, 630.

[2] Atâ'î, 151–2. Atâ'î is inconsistent both about the date of his appointment (cf. p. 246) and about the date of his death (cf. the marginal note on p. 152, and p. 320).

[3] Ibid., 320. [4] Ibid., 314. [5] Ibid., 295.

[6] Ibid., 296. [7] Ibid., 283. [8] Ibid., 331.

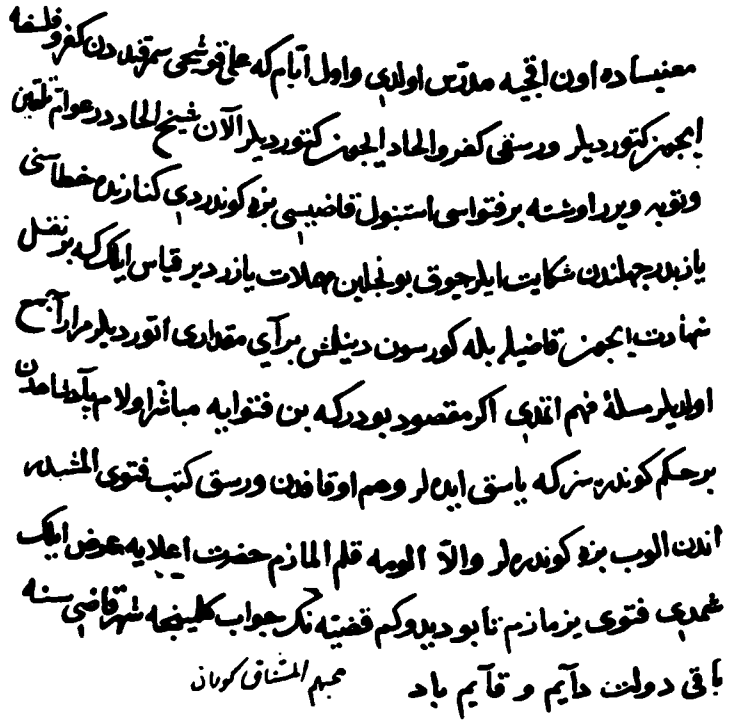
[9] Ibid., 525.

APPENDIX II

TS/E5429

پاشایان عظام

ارکان دولت قاهره وعناصر سعادت باهره ومعدن احکام ناشره
ابقاهم الله لنظام الدنیا والدین بعد تحیة اعطر من النسیم واعذب
من التسنیم علی حضرتلرنه مخفی دکل که اول وقت که خسرو الله منتقل
اولدی بو مخلصه سلطان محمد مبالغات ایلب فتوی ویرسون لردیو
مرتکب اولدم آخر بعد المبالغات اول خبیث که وزیر امدی بن دیدم که فتوی
نیلرسز که نص قرآنه ضد وارثه ویرمه سز وصیت موصی له ویرمه سز مرتکب
اولدم بعد که الله تعالی ظل همایونه الهی پادشاهم خلافت تخت سعادته
مستولی اولدغی وقت رد مظالم وآثار بدع رفع ایلب بو مخلصه الی قاضی عسکر
آدم کوندرب که حضرت اعلی اعلا الله شانه فتوی یوردی بن ایتدم که
نعزالی احیا ده دیشور که شرط مفتی بودر که اون معنی دن احتراز ایلیه لکن
پادشاهک امر مطاع در قبول ایلدم توفیق من الله دیدلر که بو سادہ ولدرنه
مفتی قوغه اذن وارسه قویالم مرادی بو که بنی رعایت ایلر رواد دیدم
الآن اول بی دین جاهل ورسق استفتا لا فتوی ویرر اندن سزلره معلوم
اولاکه ورسق دیدیکم بعاز دکل باباسی ورسق ادبنه کلدی بو خصوصی نسب
ایتدی اتاسی اغلیوا غلیو کتدی اهل علم هب بلور وحدیث بخاری درکه
من انتسب الی غیر ابیه فالجنة علیه حرام امدی ورسق اول وقت که دار الحدیث
ادرنه ده معید اولدی عجم قاسم اسلامه مرتبه ایتدی بیز الناس معروفدر وبعد



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